

SENATE.

TUESDAY, January 5, 1909.

Prayer by the Chaplain, Rev. Edward E. Hale.
The Journal of yesterday's proceedings was read and approved.

ACCOUNTS OF POSTMASTERS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of May 27, 1908, a letter from the Auditor for the Post-Office Department, together with a statement showing the accounts of postmasters who served between July 1, 1864, and July 1, 1874, whose accounts have not been readjusted and certified for payment by the Postmaster-General under the act of March 3, 1883 (S. Doc. No. 627), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

HERBERT J. BROWNE AND W. G. BALDWIN.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, submitting, by direction of the President and in response to a resolution of the 16th ultimo, a report relative to the time when Herbert J. Browne and W. G. Baldwin were employed by the War Department to investigate what happened at Brownsville, Tex., on the 13th and 14th of August, 1906, the terms of that employment, etc. (S. Doc. No. 626), which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

ELECTORAL VOTE OF WYOMING.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting, pursuant to law, an authenticated copy of the certification of the final ascertainment of electors for President and Vice-President appointed in the State of Wyoming, which, with the accompanying paper, was ordered to be filed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

S. 6189. An act granting a right of way to the Southern Pacific Railroad Company across the Fort Mason Military Reservation in California; and

H. R. 24832. An act for the relief of citizens of Italy.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented memorials of the Citizens' Association, of Chicago, Ill.; of the People's Institute, of New York City, N. Y.; and of the Board of Trade of Baltimore, Md., remonstrating against the adoption of the provision in the census bill providing for the appointment of employees in the Census Office without a competitive examination, which were ordered to lie on the table.

Mr. CULLOM presented a petition of sundry citizens of Walham, Ill., praying for the passage of the so-called "postal savings banks bill," which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE presented a petition of Local Grange No. 94, Patrons of Husbandry, of Naples, Me., and a petition of sundry citizens of the State of Maine, praying for the passage of the so-called "rural parcels-post bill," which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BURROWS presented a petition of Boyne Valley Grange, No. 1254, Patrons of Husbandry, of Boyne, Mich., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. WARNER presented the petition of Louisa Locker, of Whitewater, Mo., praying that she be granted a pension, which was referred to the Committee on Pensions.

He also presented the petition of John Ward, of Hurdland, Mo., praying that he be granted a pension, which was referred to the Committee on Pensions.

Mr. BOURNE presented a petition of the Commercial Club and of the common council of the city of Hood River, Oreg., praying that an appropriation be made for the improvement and deepening of the channel of the Columbia River in front of the city of Hood River, in that State, which was referred to the Committee on Commerce.

Mr. OWEN. I present the memorial of Vere Goldthwaite, of Boston, Mass., relative to the rights of suffrage. I move that the memorial be printed as a document and referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. ELKINS presented the petition of Isaac D'Isay, late captain, Twenty-seventh U. S. Infantry, praying for the enactment of legislation to place on the retired list the names of surviving officers mustered out under the provisions of the act approved July 15, 1870, which was referred to the Committee on Military Affairs.

Mr. LONG presented a petition of Local Grange No. 163, Patrons of Husbandry, of Vinland, Kans., and a petition of sundry citizens of Barton County, Kans., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented sundry papers to accompany the bill (S. 3158) for the relief of James Tuley, which were referred to the Committee on Military Affairs.

Mr. DICK presented a petition of the Cigar Manufacturers' Association, of Dayton, Ohio, praying for a reduction of the duty on Sumatra tobacco, which was referred to the Committee on Finance.

He also presented memorials of sundry citizens of Columbus and Portsmouth, in the State of Ohio, remonstrating against the enactment of legislation making the first day of the week a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a petition of the International Association of American Watch Case Engravers, of Canton, Ohio, praying for the enactment of legislation to prohibit the immigration of all Asiatics into the United States and remonstrating against the extension of the right of naturalization, which was referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Mount Vernon, Waynesville, Barnesville, Geneva, Sabina, Somerset, and London, all in the State of Ohio, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PERKINS presented a petition of the Sacramento Valley Development Association, of Sacramento, Cal., praying that an appropriation be made to increase the facilities of the Mare Island Navy-Yard in that State, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of Stockton, Cal., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission relative to rate making and giving the right to review changes in rates before they become effective, which was referred to the Committee on Interstate Commerce.

Mr. BURKETT presented an affidavit to accompany the bill (S. 7362) granting an increase of pension to John C. Aaron, which was referred to the Committee on Pensions.

CONSTRUCTION AND REPAIR OF VESSELS.

Mr. HALE. I present a statement of Washington Lee Capps, Chief Constructor and rear-admiral, United States Navy, and Chief of the Bureau of Construction and Repair, relating to the construction and repair of vessels. The statement is from the hearings of the Committee on Naval Affairs, House of Representatives, Sixtieth Congress, second session. I move that it be printed as a document and referred to the Committee on Naval Affairs.

The motion was agreed to.

RELIEF TO SUFFERERS IN FOREIGN LANDS.

Mr. HALE. I present a list of acts and resolutions of Congress granting relief to the people of foreign nations on account of earthquakes, fire, famine, and so forth. It is the same that appears in the RECORD this morning. I move that the paper be printed as a document and referred to the Committee on Appropriations.

The motion was agreed to.

REPORTS OF A COMMITTEE.

Mr. FULTON, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 5461) for the relief of Lawson M. Fuller, major, Ordnance Department, U. S. Army (Report No. 708); and

A bill (S. 7918) for the relief of Bernard W. Murray (Report No. 709).

BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 8117) for the relief of Andrew J. Baker, which was read twice by its title and referred to the Committee on Claims.

He also introduced a bill (S. 8118) granting an increase of pension to James Y. Gouch, which was read twice by its title

and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 8119) granting a pension to Elizabeth Carroll, which was read twice by its title and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 8120) for the relief of Martin H. Avey, which was read twice by its title and referred to the Committee on Claims.

He also introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 8121) granting an increase of pension to Caroline Williams;

A bill (S. 8122) granting an increase of pension to Isaac N. Jones; and

A bill (S. 8123) granting an increase of pension to Henry L. Ketcham.

Mr. DILLINGHAM (for Mr. GALLINGER) introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on the District of Columbia:

A bill (S. 8124) to authorize certain changes in the permanent system of highways, District of Columbia; and

A bill (S. 8125) to amend an act entitled "An act regulating the sale of intoxicating liquors in the District of Columbia," approved March 3, 1893.

Mr. SCOTT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 8126) granting an increase of pension to B. B. Dovener; and

A bill (S. 8127) granting an increase of pension to Joseph M. Rees (with the accompanying papers).

Mr. BURROWS introduced a bill (S. 8128) granting an increase of pension to George W. Edson, which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BOURNE introduced a bill (S. 8129) granting an increase of pension to Samuel T. Thomas, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PAYNTER introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 8130) for the relief of the trustees of the Presbyterian Church of Stanford, Ky.;

A bill (S. 8131) for the relief of the Board of Education of Versailles, Ky.;

A bill (S. 8132) for the relief of McCracken County, State of Kentucky;

A bill (S. 8133) for the relief of Jessamine County, State of Kentucky;

A bill (S. 8134) for the relief of Laurel County, State of Kentucky;

A bill (S. 8135) for the relief of Scott County, State of Kentucky; and

A bill (S. 8136) for the relief of Livingston County, State of Kentucky.

Mr. OWEN introduced a bill (S. 8137) granting a pension to Thomas Miles, which was read twice by its title and referred to the Committee on Pensions.

Mr. GORE introduced a bill (S. 8138) granting a pension to George De Merritt, which was read twice by its title and referred to the Committee on Pensions.

He also introduced a bill (S. 8139) granting a pension to Ernest W. Gilliard, which was read twice by its title and referred to the Committee on Pensions.

Mr. GORE (by request) introduced a bill (S. 8140) for the relief of the estate of William Le Blanc, deceased, which was read twice by its title and referred to the Committee on Claims.

Mr. BURKETT introduced a bill (S. 8141) granting a pension to Sarah J. Fulton, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 8142) granting an increase of pension to Peter Henkel, which was read twice by its title and referred to the Committee on Pensions.

He also introduced a bill (S. 8143) granting to the Chicago and Northwestern Railway Company a right to change the location of its right of way across the Niobrara Military Reservation, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. NELSON introduced a bill (S. 8144) to regulate the judicial procedure of the courts of the United States, which was read twice by its title and referred to the Committee on the Judiciary.

Mr. McCREARY introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 8145) granting an increase of pension to Gabriel Greenleaf;

A bill (S. 8146) granting an increase of pension to Mary A. Kerr;

A bill (S. 8147) granting an increase of pension to Thomas McClure; and

A bill (S. 8148) granting a pension to Elza L. Ross.

Mr. du PONT (by request) introduced a bill (S. 8149) to increase the efficiency of the Army of the United States, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. KNOX introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 8150) granting an increase of pension to John Marshall;

A bill (S. 8151) granting an increase of pension to Charles G. Miller;

A bill (S. 8152) granting a pension to Amelia Walker; and

A bill (S. 8153) granting a pension to Jennie M. McMurtrie.

Mr. KNOX introduced a bill (S. 8154) to amend section 19 of the act granting the Lake Erie and Ohio River Ship Canal Company rights to construct, equip, maintain, and operate a canal or canals and appurtenant works between the Ohio River, in the State of Pennsylvania, and Lake Erie, in the State of Ohio, approved June 30, 1906, which was read twice by its title and, with the accompanying papers, referred to the Committee on Commerce.

Mr. ELKINS introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 8155) for the relief of Nancy Shiflett and Malinda Curtis, heirs of Mariah Dodrill, deceased; and

A bill (S. 8156) for the relief of the legal representatives of Paul McNeel.

Mr. ELKINS introduced a bill (S. 8157) for the relief of Maj. James M. Burns, U. S. Army, retired, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. BURNHAM introduced a bill (S. 8158) providing for the promotion of assistant paymasters in the navy, which was read twice by its title and referred to the Committee on Naval Affairs.

Mr. WETMORE introduced a bill (S. 8159) granting an increase of pension to James W. Bedford, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SMITH of Maryland introduced a bill (S. 8160) to authorize commissions to issue in the cases of officers of the Navy and Marine Corps retired with increased rank, which was read twice by its title and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 8161) for the relief of Joseph Flewheart, which was read twice by its title and referred to the Committee on Claims.

He also introduced a bill (S. 8162) for the relief of William P. Trimble, surviving executor of Isaac R. Trimble, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. DICK introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 8163) granting an increase of pension to Charles W. Hoskins;

A bill (S. 8164) granting an increase of pension to Henry Deuble;

A bill (S. 8165) granting an increase of pension of John Akerman; and

A bill (S. 8166) granting an increase of pension to John Limrie.

Mr. KEAN introduced a bill (S. 8167) granting a pension to Emily J. Cory, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WARNER introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 8168) for the relief of the trustees of the First Presbyterian Church of Warrensburg, Mo.;

A bill (S. 8169) for the relief of Barry County, State of Missouri;

A bill (S. 8170) for the relief of Johnson County, State of Missouri;

A bill (S. 8171) for the relief of Newton County, State of Missouri; and

A bill (S. 8172) for the relief of the estate of Willis Allman, deceased.

Mr. WARNER introduced a bill (S. 8173) for the relief of the estate of Jesse Page, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

He also introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 8174) granting an increase of pension to George F. Blue; and

A bill (S. 8175) granting a pension to Alva Bird.

Mr. WARNER introduced a bill (S. 8176) granting a pension to Jonathan M. Ragner, which was read twice by its title and referred to the Committee on Pensions.

Mr. SUTHERLAND (by request) introduced a bill (S. 8177) for the relief of William P. Alexander, which was read twice by its title and referred to the Committee on Claims.

Mr. LONG introduced a bill (S. 8178) granting an increase of pension to Henry Horn, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 8179) for the relief of Charles W. Munn; and

A bill (S. 8180) for the relief of Peter Ludwig.

Mr. FLINT introduced a bill (S. 8181) granting an increase of pension to William M. Dunn, which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

Mr. OWEN introduced a bill (S. 8182) for the relief of Andrew P. Shaw, which was read twice by its title and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a joint resolution (S. R. 111) authorizing the rebuilding of the dormitory at Osage Boarding School, Oklahoma, recently destroyed by fire, which was read twice by its title and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. LODGE introduced a joint resolution (S. R. 112) authorizing the selection of a site and the erection of a pedestal for the Alexander Hamilton Memorial in Washington, D. C., which was read twice by its title and referred to the Committee on the Library.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. NELSON submitted an amendment relating to pay and allowances of jurors in United States court cases, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on the Judiciary and ordered to be printed.

AMENDMENTS TO THE CENSUS BILL.

Mr. BURKETT submitted an amendment intended to be proposed by him to the bill (H. R. 16954) to provide for the Thirteenth and subsequent decennial censuses, which was ordered to lie on the table and be printed.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 16954) to provide for the Thirteenth and subsequent decennial censuses, which was ordered to lie on the table and be printed.

HEARINGS BEFORE COMMITTEE ON THE CENSUS.

On motion of Mr. LONG it was—

Ordered, That the Committee on the Census be authorized to have printed hearings had before that committee.

LINCOLN'S INAUGURAL ADDRESSES.

Mr. GORE submitted the following resolution (S. Res. 242), which was read:

Whereas this is the centenary year of the birth of Abraham Lincoln: Be it therefore

Resolved, That the two inaugural addresses of Mr. Lincoln, together with the emancipation proclamation, be printed in the CONGRESSIONAL RECORD of this date, and that 50,000 copies of said addresses and proclamation be printed as a public document.

The VICE-PRESIDENT. Does the Senator from Oklahoma desire the present consideration of the resolution?

Mr. GORE. If unanimous consent be given.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. BAILEY. I am perfectly willing that the two inaugural addresses shall be printed under unanimous consent, but I object to printing the emancipation proclamation as proposed.

Mr. ELKINS. I suggest that the resolution be referred to the Committee on Printing. It involves the cost of, printing 50,000 copies.

Mr. GORE. That course is perfectly satisfactory to me. The VICE-PRESIDENT. The resolution will be referred to the Committee on Printing.

IMPROVEMENT OF COLUMBIA RIVER, OREGON.

Mr. FULTON submitted the following concurrent resolution (S. C. Res. 58), which was referred to the Committee on Commerce:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey and estimate to be made for a project of improvement of the Columbia River, in the State of Oregon, in front of the town of Hood River, and report the same to the Congress.

ANNUAL REPORT OF PANAMA RAILROAD COMPANY.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 632), which was read and, with the accompanying papers, referred to the Committee on Inter-oceanic Canals and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress the Fifty-ninth Annual Report of the Board of Directors of the Panama Railroad Company for the fiscal year ended June 30, 1908.

THEODORE ROOSEVELT.

THE WHITE HOUSE, January 5, 1909.

UNIVERSAL AND INTERNATIONAL EXHIBITION AT BRUSSELS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 631), which was read and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, recommending, for reasons therein stated, an appropriation to enable the United States fittingly to participate in the Universal and International Exhibition, to be held at Brussels April to November, 1910, and in response to the invitation extended by the Government of Belgium.

This recommendation has my cordial approval, and I hope that the Congress will make timely and appropriate provision for the acceptance of the invitation and for participation in the exhibition.

THEODORE ROOSEVELT.

THE WHITE HOUSE, January 5, 1909.

COLORADO BOUNDARY LINE—VETO MESSAGE.

The VICE-PRESIDENT. The Chair lays before the Senate a message from the President of the United States, returning without his approval the joint resolution (S. R. 78) establishing a boundary line between the States of Colorado and Oklahoma and the Territory of New Mexico. The message was read to the Senate December 19, 1908, and the question is, Shall the joint resolution pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. TELLER. Mr. President, the joint resolution simply recognizes the line the Department of the Interior recently surveyed. It is a matter concerning which only Colorado and New Mexico have any interest, except a few miles where the line touches Oklahoma. It is quite evident that the President of the United States was not advised when he vetoed the joint resolution and had not looked up the history of the transaction, either from Colorado or the Department of the Interior.

I have some papers which I wish to present and some reasons which I shall give at the proper time, but I am not prepared to do it now, and I ask consent that the message may be laid aside, to be called up subsequently.

The VICE-PRESIDENT. The Senator from Colorado asks unanimous consent that the veto message be temporarily laid aside to be called up at a later date. Is there objection? The Chair hears none, and it is so ordered.

MEMORIAL ADDRESSES ON THE LATE SENATOR WHYTE.

Mr. RAYNER. Mr. President, I desire to give notice that on Saturday, January 16, I shall ask the Senate to consider resolutions commemorative of the life and character of Hon. WILLIAM PINKNEY WHYTE, late a Senator from the State of Maryland.

CONSIDERATION OF THE CALENDAR.

The VICE-PRESIDENT. The calendar under Rule VIII is in order. The Secretary will state the first business on the calendar.

The joint resolution (S. R. 74) suspending the commodity clause of the present interstate-commerce law was announced as the first business on the calendar.

Mr. KEAN. Let the joint resolution be passed over.

The VICE-PRESIDENT. It will be passed over without prejudice, at the request of the Senator from New Jersey.

The resolution (S. Res. 93) relating to the reorganization of the Northern Pacific Railroad Company was announced as the next business on the calendar.

Mr. KEAN. Let the resolution be passed over also.

The VICE-PRESIDENT. The resolution will go over without prejudice, at the request of the Senator from New Jersey.

The bill (S. 915) to prevent the sale of intoxicating liquors in buildings, ships, navy-yards, and parks, and other premises owned or used by the United States Government was announced as next in order.

Mr. BORAH. I ask that the bill may go over in the absence of the Senator from North Dakota [Mr. McCUMBER].

The VICE-PRESIDENT. The bill will be passed over without prejudice at the request of the Senator from Idaho.

The bill (S. 6576) to regulate the interstate-commerce shipments of intoxicating liquors was announced as next in order.

Mr. KNOX. I ask that the bill be passed over.

The VICE-PRESIDENT. The bill will be passed over without prejudice, at the request of the Senator from Pennsylvania.

The bill (S. 6018) providing for the disposition of town sites in connection with reclamation projects, and for other purposes, was announced as next in order.

Mr. CARTER. I suggest that the bill go over, and I ask that it be placed under Rule IX.

The VICE-PRESIDENT. The bill will be placed on the calendar under Rule IX, at the request of the Senator from Montana.

The bill (S. 7112) for the appointment of an inland waterways commission, with the view to the improvement and development of the inland waterways of the United States, was announced as next in order.

Mr. NEWLANDS. I ask that the bill may lie over without prejudice.

The VICE-PRESIDENT. The bill will lie over without prejudice, at the request of the Senator from Nevada.

The bill (S. 5310) to authorize the Kaw tribe of Indians residing in the State of Oklahoma to bring suit in the Court of Claims, and for other purposes, was announced as next in order.

Mr. KEAN. Is there a report accompanying the bill?

The VICE-PRESIDENT. There is no report.

Mr. KEAN. Then I think the bill had better go over.

The VICE-PRESIDENT. The bill will go over without prejudice, at the request of the Senator from New Jersey.

EXECUTIVE SESSION.

Mr. CULLOM. There is a large number of nominations on the table, and I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After twenty-two minutes spent in executive session the doors were reopened, and (at 1 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, January 6, 1909, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 5, 1909.

CONSUL.

Heaton W. Harris, of Ohio, lately consul of Class V at Nuremberg, to be consul-general at large of the United States, vice Silas C. McFarland, deceased.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

Horace G. Knowles, of Delaware, lately envoy extraordinary and minister plenipotentiary to Roumania and Servia and diplomatic agent in Bulgaria, to be envoy extraordinary and minister plenipotentiary of the United States to Nicaragua, vice John Gardner Coolidge, resigned.

Huntington Wilson, of Illinois, now envoy extraordinary and minister plenipotentiary to Roumania and Servia and diplomatic agent in Bulgaria, to be envoy extraordinary and minister plenipotentiary of the United States to the Argentine Republic, vice Spencer F. Eddy, nominated to be envoy extraordinary and minister plenipotentiary to Roumania and Servia and diplomatic agent in Bulgaria.

Spencer F. Eddy, of Illinois, now envoy extraordinary and minister plenipotentiary to the Argentine Republic, to be envoy extraordinary and minister plenipotentiary of the United States to Roumania and Servia and diplomatic agent in Bulgaria, vice Huntington Wilson, nominated to be envoy extraordinary and minister plenipotentiary to the Argentine Republic.

SECRETARY OF EMBASSY.

Seth Low Pierrepont, of Connecticut, to be third secretary of the embassy of the United States at Paris, France, vice William Blumenthal, promoted to be second secretary of the embassy at Constantinople, Turkey.

CONSULS-GENERAL.

Arnold Shanklin, of Missouri, now consul-general of Class IV at Panama, to be consul-general of the United States of Class III at Mexico, Mexico, vice Benjamin H. Ridgely, deceased.

Alban G. Snyder, of West Virginia, now consul-general of Class V at Buenos Aires, to be consul-general of the United States of Class IV at Panama, Panama, vice Arnold Shanklin, nominated to be consul-general of Class III at Mexico.

Richard M. Bartleman, of Massachusetts, now consul of Class VIII at Madrid, to be consul-general of the United States of Class V at Buenos Aires, Argentine Republic, vice Alban G. Snyder, nominated to be consul-general of Class IV at Panama.

COMMISSIONER OF IMMIGRATION.

Robert Watchorn, of New York, to be commissioner of immigration at the port of New York, N. Y., in the Department of Commerce and Labor, to take effect on February 11, 1909. (Re-appointment.)

JUDGE OF THE DISTRICT COURT.

Royal A. Gunnison, of Alaska, to be judge of the district court for the district of Alaska (division No. 1). A reappointment, his term having expired on December 11, 1908.

ASSOCIATE JUSTICE SUPREME COURT OF THE PHILIPPINES.

Sherman Moreland, of New York, to be an associate justice of the supreme court of the Philippine Islands, to be effective February 1, 1909, vice James F. Tracey, whose resignation has been accepted to take effect on that date.

REGISTER OF THE LAND OFFICE.

Harry Y. Saint, of Grandview, Wash., to be register of the land office at North Yakima, Wash., vice Zenas Y. Coleman, resigned.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Capt. John Florentius Wild, to be senior captain in the Revenue-Cutter Service of the United States, to rank as such from December 30, 1908, in place of Senior Capt. Francis Grey Ford Wadsworth, retired.

First Lieut. James Guy Ballinger to be captain in the Revenue-Cutter Service of the United States, to rank as such from December 30, 1908, in place of Capt. John Florentius Wild, promoted.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

To be colonels.

Lieut. Col. Harry O. Perley, Medical Corps, from January 1, 1909, to fill an original vacancy.

Lieut. Col. William B. Davis, Medical Corps, from January 1, 1909, to fill an original vacancy.

To be lieutenant-colonels.

Maj. Guy L. Edie, Medical Corps, from January 1, 1909, to fill an original vacancy.

Maj. William D. Crosby, Medical Corps, from January 1, 1909, to fill an original vacancy.

Maj. Charles M. Gandy, Medical Corps, from January 1, 1909, to fill an original vacancy.

Maj. Walter D. McCaw, Medical Corps, from January 1, 1909, vice Perley, promoted.

Maj. Jefferson R. Kean, Medical Corps, from January 1, 1909, vice Davis, promoted.

To be majors.

Capt. Willard F. Truby, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Frederick F. Russell, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Edwin P. Wolfe, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Henry S. Greenleaf, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Louis T. Hess, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Christopher C. Collins, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Benjamin J. Edger, jr., Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Samuel M. Waterhouse, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Eugene H. Hartnett, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Clyde S. Ford, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Charles E. Marrow, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. M. A. W. Shockley, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Robert N. Winn, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Theodore C. Lyster, Medical Corps, from January 1, 1909, to fill an original vacancy.

Capt. Sanford H. Wadhams, Medical Corps, from January 1, 1909, vice Borden, retired from active service.

Capt. Chandler P. Robbins, Medical Corps, from January 1, 1909, vice Mearns, retired from active service.

Capt. Thomas L. Rhoads, Medical Corps, from January 1, 1909, vice Edie, promoted.

Capt. Harry L. Gilchrist, Medical Corps, from January 1, 1909, vice Crosby, promoted.

Capt. William J. L. Lyster, Medical Corps, from January 1, 1909, vice Gandy, promoted.

CAVALRY ARM.

Capt. Carter P. Johnson, Second Cavalry, to be major from December 25, 1908, vice Irwin, Eighth Cavalry, retired from active service.

First Lieut. E. Holland Rubottom, Ninth Cavalry, to be captain from December 25, 1908, vice Johnson, Second Cavalry, promoted.

To be first lieutenants.

Second Lieut. Horace N. Munro, First Cavalry, from November 20, 1908, vice Fitch, First Cavalry, promoted.

Second Lieut. Thomas P. Bernard, Third Cavalry, from November 27, 1908, vice West, Seventh Cavalry, retired from active service.

Second Lieut. Daniel D. Tompkins, Tenth Cavalry, from December 1, 1908, vice McGill, Fourth Cavalry, detailed in the Signal Corps.

Second Lieut. Clarence A. Dougherty, Thirteenth Cavalry, from December 25, 1908, vice Rubottom, Ninth Cavalry, promoted.

COAST ARTILLERY CORPS.

Lieut. Col. Henry H. Ludlow, Coast Artillery Corps, to be colonel from December 27, 1908, vice Hoskins, retired from active service.

Maj. Millard F. Harmon, Coast Artillery Corps, to be lieutenant-colonel from December 27, 1908, vice Ludlow, promoted.

Capt. Andrew Hero, jr., Coast Artillery Corps, to be major from December 27, 1908, vice Harmon, promoted.

First Lieut. Hugh S. Brown, Coast Artillery Corps, to be captain from December 27, 1908, vice Hero, promoted.

First Lieut. Wesley W. K. Hamilton, Coast Artillery Corps, to be captain from December 18, 1908, vice Avery, dismissed.

Second Lieut. Richard Donovan, Coast Artillery Corps, to be first lieutenant from December 18, 1908, vice Hamilton, promoted.

INFANTRY ARM.

Chaplain.

Chaplain Joseph H. Sutherland, Twenty-third Infantry, to be chaplain with the rank of major from December 29, 1908.

To be captains.

First Lieut. Allen Smith, jr., Third Infantry, from November 21, 1908, vice Barnett, Third Infantry, deceased.

First Lieut. John B. Sanford, Twenty-fourth Infantry, from November 25, 1908, vice Powell, Twenty-fifth Infantry, retired from active service.

First Lieut. Frank B. Hawkins, Twenty-seventh Infantry, from December 2, 1908, vice Brookes, Twenty-ninth Infantry, retired from active service.

First Lieut. Harry A. Hegeman, Nineteenth Infantry, from December 9, 1908, vice Clark, Eighteenth Infantry, detailed as quartermaster.

To be first lieutenants.

Second Lieut. Oscar K. Tolley, Fourteenth Infantry, from October 15, 1908, vice Gilbert, Thirteenth Infantry, resigned.

Second Lieut. Joseph F. Ware, Twenty-first Infantry, from October 19, 1908, vice Wescott, Sixteenth Infantry, promoted.

Second Lieut. Harry L. Jordan, Eighth Infantry, from October 27, 1908, vice Nettles, Twenty-first Infantry, retired from active service.

Second Lieut. Dean Halford, Twenty-second Infantry, from October 28, 1908, vice Wallace, Twentieth Infantry, promoted.

Second Lieut. Ralph W. Kingman, Sixteenth Infantry, from October 31, 1908, vice Hurst, Third Infantry, promoted.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

Col. George H. Torney, Medical Corps, to be surgeon-general, with the rank of brigadier-general, for a period of four years from January 14, 1909, with rank from that date, vice O'Reilly, to be retired from active service.

MEDICAL RESERVE CORPS.

William Jephtha Calvert, of Missouri, late assistant surgeon, United States Army, to be first lieutenant, with rank from December 17, 1908.

RETIRED.

Col. John D. C. Hoskins, U. S. Army, retired, to be placed on the retired list of the army, with the rank of brigadier-general from December 27, 1908.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Charles C. Moses to be a lieutenant in the navy from the 3d day of February, 1908, to fill a vacancy existing in that grade on that date.

Midshipman Miles A. Libbey to be an ensign in the navy from the 13th day of September, 1908, to fill a vacancy existing in that grade on that date.

Lieut. Albert W. Marshall to be a lieutenant-commander in the navy from the 12th day of December, 1908, vice Lieut. Commander Edward W. Eberle, promoted.

Second Lieut. Harry G. Bartlett to be a first lieutenant in the United States Marine Corps from the 13th day of May, 1908, vice First Lieut. Frank F. Robards, promoted.

POSTMASTERS.

ALABAMA.

Harvey E. Berkstresser to be postmaster at Dadeville, Ala., in place of Harvey E. Berkstresser. Incumbent's commission expires January 19, 1909.

George W. Russell to be postmaster at Eufaula, Ala., in place of George W. Russell. Incumbent's commission expired December 15, 1908.

D. M. Scott to be postmaster at Selma, Ala., in place of Mary M. Force, removed.

Sylvanus L. Sherrill to be postmaster at Hartsells, Ala., in place of Sylvanus L. Sherrill. Incumbent's commission expired December 15, 1908.

Dallas B. Smith to be postmaster at Opelika, Ala., in place of Dallas B. Smith. Incumbent's commission expired December 12, 1908.

ARKANSAS.

Edward Bowers to be postmaster at De Witt, Ark. Office became presidential January 1, 1908.

CALIFORNIA.

Charles H. Anson to be postmaster at Monrovia, Cal., in place of Charles H. Anson. Incumbent's commission expired April 27, 1908.

S. D. Barkley to be postmaster at Redondo Beach (late Redondo), Cal., in place of Laura J. Hannon, resigned; and to change name of office.

John J. Campbell to be postmaster at Galt, Cal. Office became presidential January 1, 1909.

James T. Clayton to be postmaster at Elsinore, Cal. Office became presidential January 1, 1909.

Clyde L. De Armond to be postmaster at Orland, Cal. Office became presidential January 1, 1909.

George A. Dills to be postmaster at Soldiers Home, Cal., in place of George A. Dills. Incumbent's commission expired December 12, 1908.

Albert E. Dixon to be postmaster at Point Loma, Cal., in place of Mary A. Warren, deceased.

James F. Forbes to be postmaster at Orcutt, Cal. Office became presidential January 1, 1909.

Joseph J. Gallagher to be postmaster at Davis, Cal. Office became presidential January 1, 1909.

Lena Gregory to be postmaster at Rocklin, Cal., in place of Maybelle M. Scoon, resigned.

H. H. Griswold to be postmaster at Calexico, Cal., in place of Thomas H. Hughes, resigned.

Joseph Smith to be postmaster at Downey, Cal., in place of Joseph Smith. Incumbent's commission expired December 12, 1908.

COLORADO.

Jessie G. Baird to be postmaster at Englewood, Colo. Office became presidential January 1, 1909.

David E. Gray to be postmaster at Greeley, Colo., in place of David E. Gray. Incumbent's commission expires February 10, 1909.

Robert R. Kelly to be postmaster at Crested Butte, Colo., in place of Eva T. Wheeler, resigned.

CONNECTICUT.

George W. Fletcher to be postmaster at Simsbury, Conn., in place of Aaron S. Chapman, deceased.

Judson D. Foote to be postmaster at Montowese, Conn., in

place of Judson D. Foote. Incumbent's commission expires January 9, 1909.

FLORIDA.

F. A. Florence to be postmaster at Paxton, Fla., in place of Henry A. Hughes, resigned.

Enoch E. Skipper to be postmaster at Bartow, Fla., in place of Enoch E. Skipper. Incumbent's commission expired December 15, 1908.

William Clarence Smith to be postmaster at Daytona, Fla., in place of John M. Jolley, deceased.

GEORGIA.

Henry M. Bird to be postmaster at Comer, Ga. Office became Presidential January 1, 1909.

Benjamin L. Bryan to be postmaster at Union Point, Ga. Office became Presidential January 1, 1909.

Mary L. Darden to be postmaster at Hogansville, Ga., in place of Mary L. Darden. Incumbent's commission expires January 13, 1909.

Mary P. Dixon to be postmaster at West Point, Ga., in place of Mary P. Dixon. Incumbent's commission expires January 13, 1909.

Martha E. Gorham to be postmaster at Crawfordsville, Ga. Office became Presidential January 1, 1909.

Florence McAfee to be postmaster at Norcross, Ga. Office became Presidential January 1, 1909.

Andrew D. McComb to be postmaster at Buena Vista, Ga., in place of Andrew D. McComb. Incumbent's commission expires January 13, 1909.

Vivian McCurdy to be postmaster at Stone Mountain, Ga. Office became Presidential January 1, 1909.

ILLINOIS.

Lulu R. Anderson to be postmaster at Kirkland, Ill. Office became Presidential January 1, 1909.

Jacob W. Barkdoll to be postmaster at Tremont, Ill. Office became Presidential January 1, 1909.

Cornell H. Brown to be postmaster at Batavia, Ill., in place of Cornell H. Brown. Incumbent's commission expired December 12, 1908.

Edward Cosart to be postmaster at Cowden, Ill. Office became Presidential January 1, 1909.

Joseph G. Greeson to be postmaster at Greenup, Ill., in place of Joseph G. Greeson. Incumbent's commission expired December 14, 1908.

William D. Hall to be postmaster at Table Grove, Ill. Office became Presidential January 1, 1909.

Mabel J. Heavenhill to be postmaster at Sheridan, Ill. Office became Presidential October 1, 1908.

Carrie Hovda to be postmaster at Leland, Ill. Office became Presidential January 1, 1909.

Benjamin F. Loudon to be postmaster at Trenton, Ill., in place of Benjamin F. Loudon. Incumbent's commission expired December 12, 1908.

Thomas Millett, jr., to be postmaster at Troy, Ill., in place of Thomas Millett, jr. Incumbent's commission expires January 30, 1909.

Henry Noll to be postmaster at Virden, Ill., in place of Henry Noll. Incumbent's commission expired December 12, 1908.

Seneca Selby to be postmaster at Golden, Ill. Office became Presidential January 1, 1909.

Moses C. Thomas to be postmaster at Homer, Ill., in place of Moses C. Thomas. Incumbent's commission expired December 12, 1908.

Fred C. Whisler to be postmaster at Mackinaw, Ill. Office became Presidential January 1, 1909.

INDIANA.

Louis T. Bell to be postmaster at Flora, Ind., in place of Louis T. Bell. Incumbent's commission expires January 30, 1909.

Charles A. Frazee to be postmaster at Rushville, Ind., in place of Benjamin L. McFarlan, resigned.

Charles McGaughey to be postmaster at Roachdale, Ind., in place of Charles McGaughey. Incumbent's commission expires January 9, 1909.

Howard H. Newby to be postmaster at Sheridan, Ind., in place of Howard H. Newby. Incumbent's commission expires January 30, 1909.

John R. Nordyke to be postmaster at Wolcott, Ind., in place of John R. Nordyke. Incumbent's commission expires January 30, 1909.

IOWA.

Olie H. Anderson to be postmaster at Wesley, Iowa. Office became Presidential January 1, 1909.

Richard M. Boyd to be postmaster at Sanborn, Iowa, in place of Richard M. Boyd. Incumbent's commission expires January 14, 1909.

Clinton S. Crouse to be postmaster at Prescott, Iowa. Office became Presidential January 1, 1909.

William L. Gustin to be postmaster at Kellerton, Iowa. Office became Presidential January 1, 1909.

Harry Higman to be postmaster at Winthrop, Iowa. Office became Presidential January 1, 1908.

Albert C. Hotchkiss to be postmaster at Adel, Iowa, in place of Albert C. Hotchkiss. Incumbent's commission expired December 12, 1908.

Eva Keith to be postmaster at Goldfield, Iowa. Office became Presidential January 1, 1909.

Eugene Stiles to be postmaster at Sidney, Iowa, in place of Eugene Stiles. Incumbent's commission expires January 9, 1909.

James W. Thorn to be postmaster at Lacona, Iowa. Office became Presidential January 1, 1909.

M. P. Weaver to be postmaster at Algona, Iowa, in place of Gustavus F. Peek, resigned.

Harper W. Wilson to be postmaster at Audubon, Iowa, in place of Harper W. Wilson. Incumbent's commission expired December 12, 1908.

KANSAS.

Joseph E. Aldrich to be postmaster at Sylvia, Kans. Office became Presidential January 1, 1909.

Raymond S. Frazier to be postmaster at Bucklin, Kans., in place of Raymond S. Frazier. Incumbent's commission expired December 13, 1908.

Frank E. George to be postmaster at Altamont, Kans. Office became Presidential January 1, 1909.

Charles W. Hawes to be postmaster at Augusta, Kans., in place of Charles W. Hawes. Incumbent's commission expired December 12, 1908.

James R. Hillhouse to be postmaster at Delphos, Kans., in place of James H. Hillhouse. Incumbent's commission expires January 9, 1909.

John F. Price to be postmaster at Cherokee, Kans., in place of John F. Price. Incumbent's commission expired December 13, 1908.

Clark C. Thomas to be postmaster at Moran, Kans. Office became Presidential January 1, 1909.

Charles C. Wilson to be postmaster at Scandia, Kans., in place of Charles C. Wilson. Incumbent's commission expires January 9, 1909.

KENTUCKY.

Joseph L. Earlywine to be postmaster at Paris, Ky., in place of Joseph L. Earlywine. Incumbent's commission expires January 20, 1909.

LOUISIANA.

Ernest Morgan to be postmaster at New Roads, La., in place of Ernest Morgan. Incumbent's commission expired December 12, 1908.

MAINE.

Charles E. Atwood to be postmaster at Biddeford, Me., in place of Charles E. Atwood. Incumbent's commission expires January 30, 1909.

Guy S. Baker to be postmaster at East Millinocket, Me. Office became Presidential April 1, 1908.

Charles H. Eastman to be postmaster at Millinocket, Me., in place of Charles H. Eastman. Incumbent's commission expires January 23, 1909.

Albert Greenlaw to be postmaster at Eastport, Me., in place of Jenny N. Paine. Incumbent's commission expired December 8, 1908.

MASSACHUSETTS.

Henry Converse to be postmaster at Rutland, Mass., in place of Henry Converse. Incumbent's commission expires January 10, 1909.

MICHIGAN.

Simon H. Heath to be postmaster at Richmond, Mich., in place of Simon H. Heath. Incumbent's commission expires January 23, 1909.

R. F. Lemon to be postmaster at Harbor Springs, Mich., in place of Andrew L. Deuel, resigned.

Carl M. Lund to be postmaster at Harrisville, Mich., in place of Carl M. Lund. Incumbent's commission expires January 9, 1909.

Louis H. Tovatt to be postmaster at Standish, Mich., in place of Louis H. Tovatt. Incumbent's commission expired December 12, 1908.

George L. Worthington to be postmaster at Brooklyn, Mich. Office became Presidential January 1, 1909.

MINNESOTA.

William J. Annon to be postmaster at Anoka, Minn., in place of William J. Annon. Incumbent's commission expires January 23, 1909.

Iver Bondy to be postmaster at Henning, Minn. Office became presidential January 1, 1909.

Robert K. Brough to be postmaster at Alexandria, Minn., in place of Henry K. White, deceased.

Truman B. Horton to be postmaster at Stewartville, Minn., in place of Truman B. Horton. Incumbent's commission expires January 27, 1909.

Benjamin D. Underwood to be postmaster at Fergus Falls, Minn., in place of Benjamin D. Underwood. Incumbent's commission expired December 12, 1908.

Harvey M. Webster to be postmaster at Ulen, Minn. Office became presidential January 1, 1909.

MISSISSIPPI.

David G. Dunlap to be postmaster at Sardis, Miss., in place of David G. Dunlap. Incumbent's commission expired December 14, 1908.

Robert W. Hinton to be postmaster at Lumberton, Miss., in place of Robert W. Hinton. Incumbent's commission expires January 19, 1909.

Samuel M. Howry to be postmaster at Oxford, Miss., in place of Samuel M. Howry. Incumbent's commission expired December 14, 1908.

Rosa Mayers to be postmaster at Shelby, Miss., in place of Rosa Mayers. Incumbent's commission expires January 19, 1909.

Nannie B. Richardson to be postmaster at Woodville, Miss., in place of Nannie B. Richardson. Incumbent's commission expired December 14, 1908.

Alexander Yates to be postmaster at Utica, Miss., in place of Alexander Yates. Incumbent's commission expires January 11, 1909.

MISSOURI.

Charles Ferguson to be postmaster at Willow Springs, Mo., in place of Charles Ferguson. Incumbent's commission expired December 13, 1908.

Benjamin C. Nichols to be postmaster at Trenton, Mo., in place of Benjamin C. Nichols. Incumbent's commission expires January 14, 1909.

Warren W. Parrish to be postmaster at Adrain, Mo., in place of Warren W. Parrish. Incumbent's commission expires January 21, 1909.

George B. Wade to be postmaster at Jasper, Mo., in place of George B. Wade. Incumbent's commission expired February 9, 1908.

Edward R. Williams to be postmaster at Richmond, Mo., in place of Edward R. Williams. Incumbent's commission expired December 13, 1908.

MONTANA.

Ithel Sheldon Eldred to be postmaster at Deer Lodge, Mont., in place of Lewis Coleman, deceased.

Percy J. Gosden to be postmaster at Bonner, Mont. Office became presidential July 1, 1908.

Albert Pfaus to be postmaster at Lewistown, Mont., in place of Albert Pfaus. Incumbent's commission expires February 1, 1909.

NEBRASKA.

William E. Alexander to be postmaster at Orchard, Nebr. Office became presidential January 1, 1909.

Hubert L. Buckingham to be postmaster at Plainview, Nebr., in place of Daniel L. Crellin. Incumbent's commission expired December 1, 1907.

John G. Cannon to be postmaster at Pender, Nebr., in place of John G. Cannon. Incumbent's commission expires January 9, 1909.

Benton Cotterman to be postmaster at Petersburg, Nebr. Office became presidential October 1, 1908.

Estella M. Davisson to be postmaster at Long Pine, Nebr. Office became presidential January 1, 1909.

Levi O. Dodge to be postmaster at Shickley, Nebr. Office became presidential January 1, 1909.

Darwin C. Grow to be postmaster at Loup City, Nebr., in place of William T. Owens, resigned.

Francis B. Horman to be postmaster at Adams, Nebr. Office became presidential January 1, 1908.

NEVADA.

Alton A. Carman to be postmaster at Pioche, Nev. Office became presidential July 1, 1908.

NEW HAMPSHIRE.

Arthur W. Charles to be postmaster at North Conway, N. H., in place of Arthur W. Charles. Incumbent's commission expires January 23, 1909.

NEW JERSEY.

Joshua L. Allen to be postmaster at Pennington, N. J., in place of Joshua L. Allen. Incumbent's commission expires January 11, 1909.

Ezra F. Ferris, sr., to be postmaster at Chatham, N. J., in place of Ezra F. Ferris, sr. Incumbent's commission expires January 20, 1909.

Samuel Gordon to be postmaster at South River, N. J., in place of Samuel Gordon. Incumbent's commission expires January 9, 1909.

Farley F. Holcombe to be postmaster at Hopewell, N. J., in place of Farley F. Holcombe. Incumbent's commission expires January 11, 1909.

William H. Jernee to be postmaster at Jamesburg, N. J., in place of William H. Jernee. Incumbent's commission expires January 20, 1909.

Charlotte C. Ketcham to be postmaster at Belvidere, N. J., in place of Charlotte C. Ketcham. Incumbent's commission expired December 16, 1908.

NEW YORK.

James N. Bellinger to be postmaster at Mohawk, N. Y., in place of Delevan C. Ford. Incumbent's commission expired December 13, 1908.

Henry W. Bischoff to be postmaster at Chappaqua, N. Y., in place of David W. Cornell, removed.

Dana Brasted to be postmaster at Westport, N. Y., in place of Dana Brasted. Incumbent's commission expired December 13, 1908.

Jarius S. Chase to be postmaster at Windsor, N. Y., in place of Jarius S. Chase. Incumbent's commission expired December 13, 1908.

Robert N. Hunter to be postmaster at Poughkeepsie, N. Y., in place of Isaac W. Sherrill. Incumbent's commission expired December 18, 1908.

David L. Jamieson to be postmaster at New York Mills, N. Y., in place of David L. Jamieson. Incumbent's commission expires January 30, 1909.

Frank H. Johnson to be postmaster at Interlaken, N. Y., in place of Frank H. Johnson. Incumbent's commission expired December 13, 1908.

Frantz Murray to be postmaster at Dolgeville, N. Y., in place of Frantz Murray. Incumbent's commission expires January 20, 1909.

Edward L. Ware to be postmaster at Lake Placid, N. Y., in place of Edward L. Ware. Incumbent's commission expired December 13, 1908.

Philo C. Wheeler to be postmaster at Cincinnati, N. Y. Office became presidential January 1, 1909.

Charles N. Wood to be postmaster at Angola, N. Y., in place of Charles N. Wood. Incumbent's commission expired December 16, 1908.

NEW MEXICO.

W. A. Davis to be postmaster at Clovis, N. Mex. Office became presidential January 1, 1909.

NORTH DAKOTA.

Ole J. Bye to be postmaster at Ryder, N. Dak. Office became presidential July 1, 1908.

Maggie Fox to be postmaster at Michigan, N. Dak., in place of Maggie Fox. Incumbent's commission expires January 10, 1909.

John K. Soule to be postmaster at Cogswell, N. Dak. Office became presidential April 1, 1907.

OHIO.

Louis G. Bidwell to be postmaster at Kinsman, Ohio, in place of Louis G. Bidwell. Incumbent's commission expires January 11, 1909.

Henry H. Dibble to be postmaster at Canal Winchester, Ohio, in place of Henry H. Dibble. Incumbent's commission expires January 23, 1909.

Roscoe G. Hombeck to be postmaster at London, Ohio, in place of Lawrence R. Watts. Incumbent's commission expired December 14, 1908.

Thomas M. Irwin to be postmaster at Fairport Harbor, Ohio, in place of Thomas M. Irwin. Incumbent's commission expired December 13, 1908.

E. Calvin Miller to be postmaster at New Carlisle, Ohio, in place of E. Calvin Miller. Incumbent's commission expired December 13, 1908.

David F. Owen to be postmaster at Burton, Ohio, in place of David F. Owen. Incumbent's commission expires February 10, 1909.

Samuel F. Rose to be postmaster at Clarington, Ohio. Office became presidential January 1, 1908.

OKLAHOMA.

John P. Bradbury to be postmaster at Wetumka, Okla., in place of John P. Bradbury. Incumbent's commission expires January 18, 1909.

William T. Brooks to be postmaster at Broken Arrow, Okla., in place of William T. Brooks. Incumbent's commission expires January 18, 1909.

Harland J. Butler to be postmaster at Miami, Okla., in place of Harland J. Butler. Incumbent's commission expired November 17, 1907.

Jay Collis to be postmaster at Manitou, Okla. Office became presidential January 1, 1908.

William Higgins to be postmaster at Bartlesville, Okla., in place of Arthur I. Morgan. Incumbent's commission expired November 17, 1907.

Enoch Needham to be postmaster at Hugo, Okla., in place of Enoch Needham. Incumbent's commission expired December 17, 1907.

J. Ed Van Mater to be postmaster at Altus, Okla., in place of J. Ed Van Mater. Incumbent's commission expired December 12, 1908.

Frank V. Wright to be postmaster at Lawton, Okla., in place of Josiah T. White. Incumbent's commission expired December 20, 1906.

OREGON.

Merritt A. Baker to be postmaster at Weston, Oreg. Office became presidential October 1, 1908.

J. E. Beezley to be postmaster at Falls City, Oreg. Office became presidential October 1, 1908.

William M. Brown to be postmaster at Lebanon, Oreg., in place of William M. Brown. Incumbent's commission expired December 8, 1908.

Frank H. Lane to be postmaster at Newport, Oreg. Office became presidential July 1, 1908.

PENNSYLVANIA.

Abraham F. Berkey to be postmaster at Windber, Pa., in place of Abraham F. Berkey. Incumbent's commission expired December 15, 1908.

Zacharias A. Bowman to be postmaster at Annville, Pa., in place of Zacharias A. Bowman. Incumbent's commission expires February 1, 1909.

Margaret W. Buchanan to be postmaster at Scalp Level, Pa. Office became presidential July 1, 1908.

Henry Feindt to be postmaster at Lykens, Pa., in place of Henry Feindt. Incumbent's commission expires January 30, 1909.

Matthew P. Frederick to be postmaster at Gallitzin, Pa., in place of Matthew P. Frederick. Incumbent's commission expired December 13, 1908.

Frank A. Howe to be postmaster at Waterford, Pa., in place of Frank A. Howe. Incumbent's commission expires January 27, 1909.

Roscoe C. Keefer to be postmaster at Clairton, Pa., in place of Roscoe C. Keefer. Incumbent's commission expired December 16, 1908.

Roger A. McCall to be postmaster at Trafford (late Trafford City), Pa., in place of Roger A. McCall, to change name of office.

William P. McMasters to be postmaster at Munhall, Pa., in place of William P. McMasters. Incumbent's commission expired December 16, 1908.

Lyman L. Shattuck to be postmaster at Pleasantville, Pa., in place of Lyman L. Shattuck. Incumbent's commission expired December 15, 1908.

James R. Underwood to be postmaster at Roscoe, Pa. Office became presidential October 1, 1908.

Uriah H. Wieand to be postmaster at Emaus, Pa., in place of Uriah H. Wieand. Incumbent's commission expired December 13, 1908.

PORTO RICO.

Ramon A. Rivera to be postmaster at Arecibo, P. R., in place of Ramon A. Rivera. Incumbent's commission expired December 14, 1908.

RHODE ISLAND.

Edward S. Payne to be postmaster at Block Island, R. I. Office became presidential July 1, 1908.

SOUTH CAROLINA.

Ida A. Calhoun to be postmaster at Clemson College, S. C., in place of Ida A. Calhoun. Incumbent's commission expires January 14, 1909.

James A. Cannon to be postmaster at Fountain Inn, S. C. Office became presidential January 1, 1909.

Julia E. De Loach to be postmaster at Ninety Six, S. C. Office became presidential October 1, 1908.

James G. Harper to be postmaster at Seneca, S. C., in place of James G. Harper. Incumbent's commission expires January 10, 1909.

Arthur L. King to be postmaster at Georgetown, S. C., in place of Arthur L. King. Incumbent's commission expires January 14, 1909.

Roberta McAulay to be postmaster at Woodruff, S. C. Office became presidential January 1, 1909.

Joshua E. Wilson to be postmaster at Florence, S. C., in place of Joshua E. Wilson. Incumbent's commission expired January 19, 1908.

TENNESSEE.

Jasper N. Fitzwater to be postmaster at Collierville, Tenn., in place of Jasper N. Fitzwater. Incumbent's commission expired December 14, 1908.

Daniel M. Nobles to be postmaster at Paris, Tenn., in place of Daniel M. Nobles. Incumbent's commission expires January 14, 1909.

TEXAS.

Edward H. Clark to be postmaster at Victoria, Tex., in place of Edward H. Clark. Incumbent's commission expired December 12, 1908.

Richard L. Coleman to be postmaster at Rusk, Tex., in place of Theodore Miller, resigned.

Jacob M. Harrell to be postmaster at Manor, Tex., in place of Jacob M. Harrell. Incumbent's commission expired December 12, 1908.

Prince A. Hazzard to be postmaster at Colorado, Tex., in place of Prince A. Hazzard. Incumbent's commission expired December 12, 1908.

Jerra L. Hickson to be postmaster at Gainesville, Tex., in place of Jerra L. Hickson. Incumbent's commission expires January 10, 1909.

James H. Johnson to be postmaster at Lubbock, Tex. Office became presidential January 1, 1908.

William A. Little to be postmaster at Karnes City, Tex. Office became presidential October 1, 1908.

D. H. McCoy to be postmaster at Dalingerfield, Tex., in place of Jesse H. Harrison, removed.

Lora L. Rowell to be postmaster at Pearsall, Tex., in place of Lora L. Rowell. Incumbent's commission expired December 12, 1908.

Virgil A. Smith to be postmaster at Kenedy, Tex. Office became presidential October 1, 1908.

Thomas J. Stevens to be postmaster at Sourlake, Tex., in place of Thomas J. Stevens. Incumbent's commission expired December 12, 1908.

Anderson C. Vinson to be postmaster at Timpson, Tex., in place of Anderson C. Vinson. Incumbent's commission expired December 12, 1908.

UTAH.

L. W. Shurtliff to be postmaster at Ogden, Utah, in place of William Glasmann, resigned.

VERMONT.

Henry S. Webster to be postmaster at Orleans (late Barton Landing), Vt., in place of Henry S. Webster, to change name of office.

VIRGINIA.

Harry Fulwiler to be postmaster at Buchanan, Va., in place of Harry Fulwiler. Incumbent's commission expires January 9, 1909.

Clarence C. Middleton to be postmaster at The Plains, Va. Office became presidential October 1, 1908.

A. Redfern to be postmaster at Strasburg, Va., in place of A. Redfern. Incumbent's commission expired December 12, 1908.

M. L. Slep to be postmaster at Pennington Gap, Va. Office became presidential April 1, 1908.

WASHINGTON.

William P. Ely to be postmaster at Kelso, Wash., in place of William P. Ely. Incumbent's commission expires January 21, 1909.

WEST VIRGINIA.

Joseph Williams to be postmaster at St. Marys, W. Va., in place of Joseph Williams. Incumbent's commission expired December 13, 1908.

WISCONSIN.

George M. Carnahan to be postmaster at Bruce, Wis., in place of George M. Carnahan. Incumbent's commission expires January 9, 1909.

James Carr to be postmaster at Bangor, Wis., in place of James Carr. Incumbent's commission expires January 30, 1909.

Myron W. De Lap to be postmaster at Abbottsford, Wis., in place of Malcolm H. Douglas. Incumbent's commission expired December 12, 1908.

Elizabeth K. Nevins to be postmaster at Bloomington, Wis. Office became presidential October 1, 1908.

Irwin R. Nye to be postmaster at Wittenberg, Wis., in place of Irwin R. Nye. Incumbent's commission expires January 23, 1909.

Charles Settergren to be postmaster at Baldwin, Wis., in place of Charles Settergren. Incumbent's commission expires January 23, 1909.

John C. Southworth to be postmaster at Whitehall, Wis., in place of John C. Southworth. Incumbent's commission expires January 23, 1909.

WYOMING.

Paul A. Kenyon to be postmaster at Kemmerer, Wyo., in place of Nora Sammon, resigned; William O'Connell, recess appointee, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 5, 1909.

REGISTERS OF LAND OFFICES.

Frank H. Parker, of Phoenix, Ariz., to be register of the land office at Phoenix, Ariz.

Bryson P. Blair, of Colorado, to be register of the land office at Montrose, Colo.

RECEIVERS OF PUBLIC MONEYS.

Charles E. Arnold, of Phoenix, Ariz., to be receiver of public moneys at Phoenix, Ariz.

Julius H. Weiss, of Colorado, to be receiver of public moneys at Del Norte, Colo.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Capt. Elmer A. Dean, Medical Corps, to be major.

CAVALRY ARM.

Lieut. Col. Edward J. McClernand, First Cavalry, to be colonel.
Maj. William A. Shunk, Eighth Cavalry, to be lieutenant-colonel.

Capt. Francis G. Irwin, Second Cavalry, to be major.

First Lieut. Roger S. Fitch, First Cavalry, to be captain.

COAST ARTILLERY CORPS.

Lieut. Col. Adam Slaker, Coast Artillery Corps, to be colonel.
Maj. George F. Barney, Coast Artillery Corps, to be lieutenant-colonel.

Capt. Thomas B. Lamoreux, Coast Artillery Corps, to be major.

To be captains.

First Lieut. Charles L. Fisher, Coast Artillery Corps.

First Lieut. Charles D. Winn, Coast Artillery Corps.

First Lieut. Frank T. Hines, Coast Artillery Corps.

First Lieut. James Totten, Coast Artillery Corps.

To be first lieutenants.

Second Lieut. West C. Jacobs, Coast Artillery Corps.

Second Lieut. James W. Lyon, Coast Artillery Corps.

Second Lieut. Harold Geiger, Coast Artillery Corps.

Second Lieut. Rodney H. Smith, Coast Artillery Corps.

Second Lieut. Albert L. Loustalot, Coast Artillery Corps.

INFANTRY ARM.

Maj. John C. F. Tillson, Fourth Infantry, to be lieutenant-colonel.

Capt. Amos B. Shattuck, unassigned, to be major.

First Lieut. Allen Parker, Twenty-sixth Infantry, to be captain.

To be first lieutenants.

Second Lieut. Jesse M. Holmes, Eighteenth Infantry.

Second Lieut. Maynard A. Wells, Tenth Infantry.

Second Lieut. Hans O. Olson, Eighteenth Infantry.

Second Lieut. Charles A. Thuis, Twenty-third Infantry.

Second Lieut. Claremont A. Donaldson, Twenty-third Infantry.

Second Lieut. Franklin T. Burt, Twenty-fourth Infantry.
Second Lieut. Rutherford S. Hartz, Twenty-first Infantry.
Second Lieut. Townsend Whelen, Thirtieth Infantry.
Second Lieut. Charles S. Hamilton, Thirteenth Infantry.
Second Lieut. Joseph F. Ware, Twenty-first Infantry.
Second Lieut. Harry L. Jordan, Eighth Infantry.
Second Lieut. Dean Halford, Twenty-second Infantry.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenant, with rank from November 11, 1908.

Alwin M. Guittard, of Ohio.

To be first lieutenants, with rank from November 24, 1908.

Felix Edward Ashcroft, of South Dakota.

Rhodric Winfield Browne, of Virginia.

Joseph Forrest Burnham, of Massachusetts.

John Tilden Burrus, of North Carolina.

George Abner Clotfelter, of Illinois.

George Peter Coopernall, of New York.

Guy Parker Dillon, of California.

Joseph Lewi Donhauser, of New York.

Edgar Francis Hamlin, of Rhode Island.

Hans Hansen, of Iowa.

James William Hartigan, of West Virginia.

Charles Byam Hollings, of Massachusetts.

Warren Edgley Kershner, of Maine.

George Christopher Kieffer, of Pennsylvania.

Fred Elsworth Lettice, of New York.

Charles James McGee, of Kansas.

William Marshall, jr., of Delaware.

Hugh Thomas Nelson, jr., of Virginia.

William Henry Steers, of New York.

Irwin Coleman Sutton, of Nebraska.

Ira Chestnut Young, of Missouri.

Herbert Homer Smith, of Kansas.

Herbert Holman Skinner, of Missouri.

To be first lieutenant, with rank from December 2, 1908.

Matthew J. Shields, of Pennsylvania.

CAVALRY ARM.

Claude De Busy Hunt, at large, to be second lieutenant, with rank from December 14, 1908.

APPOINTMENT BY TRANSFER IN THE ARMY.

COAST ARTILLERY CORPS.

Second Lieut. Marcel Selby Keene, Twenty-fourth Infantry, to the Coast Artillery Corps.

CAVALRY ARM.

Second Lieut. John Burges Johnson, First Infantry, to the cavalry arm.

INFANTRY ARM.

Second Lieut. John Caffery Walker, jr., Third Cavalry, to the infantry arm.

To be placed on the retired list of the army.

Col. George G. Greenough, retired, with the rank of brigadier-general.

First Lieut. Francis A. Halliday, retired, with rank of captain.

PROMOTIONS IN THE NAVY.

Capt. Arthur P. Nazro to be a rear-admiral in the navy.

Passed Asst. Surg. Robert E. Ledbetter to be a surgeon in the navy.

The following-named assistant surgeons in the navy to be passed assistant surgeons in the navy:

Frank E. Sellers.

Edward H. H. Old.

Edward C. White.

Chaplain Charles M. Charlton to be a captain in the navy with the rank of commander.

Chaplain George L. Bayard to be a chaplain in the navy with the rank of lieutenant-commander.

POSTMASTERS.

ALABAMA.

D. M. Scott to be postmaster at Selma, Ala.

MAINE.

Montrose E. Hill to be postmaster at Old Orchard, Me.

MASSACHUSETTS.

Susan F. Twiss to be postmaster at Three Rivers, Mass.

MICHIGAN.

William T. Hosner to be postmaster at Romeo, Mich.

Richard E. MacLean to be postmaster at Wells, Mich.

MINNESOTA.

William B. Anderson to be postmaster at Hopkins, Minn.
Robert K. Brough to be postmaster at Alexandria, Minn.
Frank R. Coughran to be postmaster at Worthington, Minn.

MISSOURI.

Albert T. McAdow to be postmaster at Lamar, Mo.

NEW JERSEY.

Frederick P. Baker to be postmaster at Millington, N. J.

NEW YORK.

Reuben Kline to be postmaster at Port Leyden, N. Y.
William J. McClure to be postmaster at Delanson, N. Y.
Charles J. Sweet to be postmaster at Black River, N. Y.
Charles M. Waters to be postmaster at Lyons Falls, N. Y.
James W. Welch to be postmaster at Hamilton, N. Y.
Earl L. Whiting to be postmaster at Delevan, N. Y.

OHIO.

William S. Atkinson to be postmaster at Salem, Ohio.

VERMONT.

Arthur F. Stone to be postmaster at St. Johnsbury, Vt.

VIRGINIA.

Charles H. Jones to be postmaster at Dry Fork, Va.

WASHINGTON.

William P. Ely to be postmaster at Kelso, Wash.

WITHDRAWALS.

Executive nominations withdrawn from the Senate January 5, 1909.

COMMISSIONER OF IMMIGRATION.

Robert Watchorn to the commissioner of immigration at the port of New York, in the Department of Commerce and Labor, in the State of New York.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be first lieutenants.

Second Lieut. Joseph F. Ware, Twenty-first Infantry, from October 15, 1908, vice Gilbert, Thirteenth Infantry, resigned.

Second Lieut. Harry L. Jordan, Eighth Infantry, from October 19, 1908, vice Wescott, Sixteenth Infantry, promoted.

Second Lieut. Dean Halford, Twenty-second Infantry, from October 27, 1908, vice Nettles, Twenty-first Infantry, retired from active service.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 5, 1909.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

BRIDGE ACROSS THE DELAWARE RIVER NEAR COLUMBIA, N. J.

Mr. BRODHEAD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 22306), to authorize the Delaware, Lackawanna and Western Railroad Company and the Lackawanna Railroad Company of New Jersey, to construct and maintain a bridge across the Delaware River from a point near the village of Columbia, Knowlton Township, Warren County, N. J., to the village of Slateford, Northampton County, Pa.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Delaware, Lackawanna and Western Railroad Company, a corporation of the State of Pennsylvania, and the Lackawanna Railroad Company of New Jersey, a corporation of the State of New Jersey, be, and they hereby are, authorized jointly to construct, maintain, and operate a bridge across the Delaware River between a point northwest of the village of Columbia, in the township of Knowlton, county of Warren, and State of New Jersey, and a point southeasterly from the village of Slateford, in the county of Northampton, and State of Pennsylvania, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That said companies be, and they hereby are, authorized to excavate in the bed of said river above the line of ordinary high water, for the purpose of determining what character of foundations and what methods of construction shall be required for the erection of said bridge, and that all work of exploration, soundings, testing, and experiments, done or to be done, are hereby declared to be lawful.

Sec. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The following committee amendments were read:

Strike out all of section 2; renumber section 3 to section 2.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BRODHEAD, the motion to reconsider the last vote was laid on the table.

BILLS STRICKEN FROM THE CALENDAR.

The following bills on the various calendars of the House, which had heretofore passed the House in an omnibus bill (S. 6190) and are now included in Public Law No. 160, were laid before the House, and by unanimous consent the Committee of the Whole House was discharged from further consideration of those bills on the Union and Private Calendars and, together with the bills on the House Calendar, the same were laid on the table, as follows:

On the Union Calendar: H. R. 14016, S. 2495, H. R. 14410, H. R. 17421, S. 4645, H. R. 14926, H. R. 480, S. 4132, H. R. 19163, H. R. 9111, H. R. 19246, S. 3541, S. 1036, and H. R. 21807.

On the House Calendar: S. 206, S. 553, H. R. 18443, H. R. 14788, H. R. 11801, and S. 551.

On the Private Calendar: H. R. 13950, H. R. 20735, and H. R. 18751.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, its reading clerk, announced that the Senate had passed without amendment bills and joint resolution of the following titles:

H. R. 24832. An act for the relief of citizens of Italy;

H. R. 17707. An act to authorize William H. Standish to construct a dam across James River, in Stone County, Mo., and divert a portion of its waters through a tunnel into the said river again to create electric power;

H. R. 22879. An act to amend an act entitled "An act to amend an act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved January 23, 1908; and

H. J. Res. 208. Joint resolution providing for expenses of the House Office Building.

The message also announced that the Senate had passed bills and joint resolution of the following titles, in which the concurrence of the House was requested:

S. 7829. An act to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Keithsburg, in the State of Illinois, and to establish it as a post-road," approved April 26, 1882;

S. 6055. An act to amend section 691 of subchapter 7, building associations, of the Code of Law for the District of Columbia;

S. 6959. An act to provide for the purchase of building and grounds, or a site and the erection of a building thereon, in the city of Paris, France, for the use of the embassy of the United States;

S. 6413. An act to limit the period for refunding taxes and assessments erroneously paid; and

S. R. 88. Joint resolution to provide for an accounting of certain funds held in trust for the Chippewa Indians in Minnesota.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 24832. An act for the relief of citizens of Italy.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 6189. An act granting a right of way to the Southern Pacific Railroad Company across the Fort Mason Military Reservation in California.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 7829. An act to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Keithsburg, in the State of Illinois, and to establish it as a post-road," approved April 26, 1882—to the Committee on Interstate and Foreign Commerce.

S. 6413. An act to limit the period for refunding taxes and assessments erroneously paid—to the Committee on the District of Columbia.

S. 6055. An act to amend section 691 of subchapter 7, build-

ing associations, of the Code of Law for the District of Columbia—to the Committee on the District of Columbia.

S. 6959. An act to provide for the purchase of building and grounds, or of a site and erection of a building thereon, in the city of Paris, France, for the use of the embassy of the United States—to the Committee on Foreign Affairs.

S. R. 88. Joint resolution to provide for an accounting of certain funds held in trust for the Chippewa Indians in Minnesota—to the Committee on Indian Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 22879. An act to amend an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved January 23, 1908;

H. R. 17707. An act to authorize William H. Standish to construct a dam across James River, in Stone County, Mo., and divert a portion of its waters through a tunnel into the said river again to create electric power; and

H. J. Res. 208. Joint resolution providing for expenses of the House Office Building.

CONTESTED ELECTION CASES OF MYERS V. PATTERSON, PRIOLEAU V. LEGARE, DANTZLER V. LEVER.

Mr. MANN, by direction of the Committee on Elections No. 1, presented reports in the contested election cases of Isaac Myers v. J. O. Patterson (H. Rept. No. 1819), Aaron P. Prioleau v. George S. Legare (H. Rept. No. 1818), and Alexander D. Dantzler v. Asbury F. Lever (H. Rept. No. 1817), which were placed on the House Calendar and ordered to be printed.

INJURED EMPLOYEES, ISTHMIAN CANAL.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 22340) relating to injured employees on the Isthmian Canal, which I send to the desk and ask to have read, and that it be considered in the House as in Committee of the Whole.

The Clerk read as follows:

Be it enacted, etc., That nothing contained in the act approved May thirties, nineteen hundred and eight, entitled "An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," shall prevent the Isthmian Canal Commission, under rules to be fixed by the commission, from granting to its injured employees, whether engaged in a hazardous employment or otherwise, leave of absence with pay for time necessarily lost as a result of injuries received in the course of employment, not exceeding in the aggregate thirty days per annum: *Provided, however,* That compensation paid to such injured employees under such regulations shall be deducted from any compensation which such employees may be entitled to receive under the terms of the said act.

With the following amendment:

Strike out the word "thirties," in line 3, page 1, and insert in lieu thereof the word "thirtieth."

The SPEAKER. Is there objection?

Mr. WALDO. Mr. Speaker, reserving the right to object, I would like to inquire what the object of this bill and amendment is.

The SPEAKER. Does the gentleman from Illinois yield?

Mr. MANN. I do. I suppose the gentleman reserves his right to object?

Mr. WALDO. Yes.

Mr. MANN. Mr. Speaker, at the last session of Congress we passed a law providing for compensation to injured employees of the Government. That law provided that no compensation should be paid except where the injured employee was kept from his work for at least fifteen days. It applied to the Isthmian Canal, and the law provided compensation should not be given there except in case of hazardous employment on the canal. It had been the custom of the Isthmian Canal Commission, prior to that time, to give compensation to an injured employee whether he was engaged in hazardous employment or not, and also to give him compensation although his time kept from employment was less than fifteen days; but it has been construed that the Isthmian Canal Commission, being included in the law passed at the last session, is controlled by that law, and that under that law the former practice of the commission is changed so that now they can not pay to an injured employee any compensation unless that employment shall be called "hazardous" employment, nor can they pay him any compensation unless he is kept from work for at least fifteen days. The purpose of this bill, which is asked for both by the Isthmian Canal Commission and the labor employed on the canal, is to give to the commission the power to pay to an injured employee who is kept from his work less

than fifteen days the pay for that time, and also to give the commission the power to pay although the employee is not technically engaged in hazardous employment.

Mr. CLARK of Missouri. Does this contemplate paying any person who gets injured down there whether he is injured in the line of his employment or not?

Mr. MANN. Oh, no; it expressly provides only in the line of their work.

Mr. CLARK of Missouri. Is there any limit fixed to the amount of damages that the Canal Commission can pay?

Mr. MANN. The bill provides that they can pay for thirty days' labor only. Then the injured employee must resort to the law which was passed at the last session.

Mr. CLARK of Missouri. They are paid in the wages that they are drawing?

Mr. MANN. Paying them the wages for thirty days.

Mr. CRUMPACKER. Will the gentleman allow a question?

Mr. MANN. Certainly.

Mr. CRUMPACKER. This bill is limited in its operation to employees in the Canal Zone on the canal?

Mr. MANN. Under the Isthmian Canal Commission.

Mr. CRUMPACKER. It does not cover all of the service that is provided for in the bill that was passed at the last session of Congress?

Mr. MANN. Not at all.

Mr. CRUMPACKER. Well, I suppose the reason why this bill is not as broad as the other bill is that the gentleman's committee had only power, perhaps, to legislate respecting affairs upon the Panama Canal. It seems to me that the bill is a good one, and that it ought to cover all of the service that is defined in the bill fixing liability on the part of the Government for injuries while in the service of the Government.

Mr. MANN. Well, the gentleman from Indiana may be correct. He and I will not dispute about that. But this is the situation: We are not attempting to correct the policy adopted by Congress with reference to the injured employees, but the construction of the Isthmian Canal is exactly like the construction of other great public works. Here the Government is doing the work itself, and our committee thought that the Government might well afford, in the case of the Isthmian Canal, to adopt the same policy that is adopted by contractors almost everywhere in the country, of paying a man a day's wages or a week's wages, where that man is deprived from work by reason of injuries incurred in that work.

Mr. CRUMPACKER. I believe the gentleman is right, but I felt that the bill ought to cover the other class of service where the law provides that there shall be governmental liability for injuries occurring in the line of duty. That is all.

Mr. MANN. I understand the gentleman's position.

Mr. SABATH. Will the gentleman permit a question?

Mr. MANN. Certainly.

Mr. SABATH. Is there any provision in this bill which provides for compensation where the injury is such that it disables such employee for a longer period than thirty days?

Mr. MANN. That is already provided for in the law passed at the last session of Congress.

Mr. SABATH. This only applies, then, where the employee is disabled for a shorter period than thirty days?

Mr. MANN. This applies only for thirty days, as far as the Isthmian Canal Commission is concerned, and provides that if the employee receives compensation, then that amount shall be deducted from the amount which he receives through the law passed at the last session of Congress.

And I might say that the law passed at the last session of Congress is extremely cumbersome. As far as the Isthmian Canal Commission is concerned, in my opinion that commission ought not to have been included in the law, but we are not seeking now to correct that. Under that law before an employee on the Isthmus can receive any compensation there must be a report made by the commission to the Secretary of Commerce and Labor, and the Secretary of Commerce and Labor has to make a finding in the case and O. K. the voucher, which necessarily takes a considerable length of time.

Mr. SABATH. Is not the gentleman from Illinois of the opinion we should amend that if that is the case?

Mr. MANN. Not in connection with this bill, except as we are doing it now.

Mr. KEIFER. In making this liberal provision for persons injured, regardless of whether they are injured in hazardous employment or not, you seem to make no distinction as to whether the employee has been guilty of contributory negligence. That is so, is it not?

Mr. MANN. That is so as far as the bill is concerned.

Mr. KEIFER. Then you do not take into account the fact that all persons injured, whether they have been guilty of

contributory negligence or not, are treated there by the medical officers and surgeons of the Government in the hospitals. You do not take that into account in making this liberal provision.

Mr. MANN. Oh, yes; we take it into account in making this liberal provision, I will say to my friend. Now, under the law as it passed, it provides that an employee can not receive compensation if he has been guilty of negligence, but does not provide in reference to contributory negligence. Under the construction of that Isthmian Canal Commission we find that they have been reported here in a number of cases that they could not pay compensation at all, although the negligence in fact was not the negligence of the employee, though he had been guilty of some negligence, and we were trying to cover that in this bill.

Mr. KEIFER. I am not familiar with the act, and therefore I asked for some information.

Mr. MANN. I understand.

Mr. KEIFER. Is the purpose of passing this to give compensation for injuries regardless of contributory negligence?

Mr. MANN. It does not.

Mr. KEIFER. The proviso in this bill says:

Provided, however, That compensation paid to such injured employees under such regulations shall be deducted from any compensation which such employees may be entitled to receive under the terms of said act.

Now, how are you going to carry out that provision?

Mr. MANN. Well, I think that is not difficult, I will say to my colleague from Ohio. Under that act the employee can only receive compensation who is injured and kept from work for more than fifteen days, but the act is very cumbersome. They have to send up here a report to the Secretary of Commerce and Labor, and he must pass upon it, and when a voucher is issued he must pass upon it, and then it goes back to Panama. Now, we thought that the Canal Commission might well have permission to pay compensation up to thirty days, but that overlapped the other act, and hence we provide the man can not receive compensation from both sources. If he receives it from the commission, then it is deducted from the amount which he receives through the Secretary of Commerce and Labor.

Mr. KEIFER. Now, it looks as if there were some considerable machinery about it.

Mr. MANN. The machinery about this is not great, but the machinery about the law which was passed at the last session of Congress is beyond comprehension.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. MANN a motion to reconsider the last vote was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, Mr. HUMPHREY of Washington was granted leave of absence on account of trip to Panama on official business.

SALES OF LAND, COEUR D'ALENE INDIAN RESERVATION.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill (H. R. 21458), and that the same be now considered in the House.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 21458) authorizing sales of land within the Coeur d'Alene Indian Reservation to the Northern Idaho Insane Asylum and to the University of Idaho.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, in his discretion, to sell to the State of Idaho, for the use of the Northern Idaho Insane Asylum, land not to exceed in area four sections, to be selected by the governor of the State, within the limits of the Coeur d'Alene Indian Reservation, upon the approval of the Secretary of the Interior, said State to pay therefor, upon receiving a grant thereof, such price per acre as shall be fixed by the Secretary of the Interior. The moneys derived from said sale shall be deposited in the Treasury of the United States for the benefit of the Indians of said reservation.

SEC. 2. That the Secretary of the Interior is hereby authorized, in his discretion, to sell to the regents of the University of the State of Idaho, for the use of said university, land not to exceed 640 acres in area, to be selected by the said regents of the said university within the limits of the Coeur d'Alene Indian Reservation, upon the approval of the Secretary of the Interior, said regents to pay therefor, upon receiving a grant thereof, such price per acre as shall be fixed by the Secretary of the Interior. The moneys derived from said sale shall be deposited in the Treasury of the United States for the benefit of the Indians of said reservation.

Mr. GAINES of Tennessee. Mr. Speaker, I would like to have the gentleman from Idaho [Mr. FRENCH] explain the bill.

The SPEAKER. Does the gentleman from Idaho yield to the gentleman from Tennessee?

Mr. FRENCH. I do.

Mr. GAINES of Tennessee. I reserve the right to object. I want the gentleman to explain the bill.

Mr. FRENCH. All that the bill contemplates is the sale of a tract of land not to exceed four sections to the Northern Idaho Insane Asylum, and the sale of 640 acres to the University of Idaho. The necessity for the bill lies in the fact that it is very hard for institutions such as these to obtain as large a tract as that from available public lands. If they buy from individuals they must pay exorbitant prices, and pay for houses, barns, and other improvements. The lands within the Coeur d'Alene Reservation have not yet been appraised. They will be, and after they have been appraised it is contemplated that the Secretary of the Interior will sell these lands to the different institutions at the price at which they are found to be appraised. The moneys will also go to a fund, the same as the moneys that will be derived from the disposition of the other lands within this reservation, namely, for the benefit of the Coeur d'Alene Indians.

Mr. GAINES of Tennessee. Has any limitation been put on the price of this land?

Mr. FRENCH. No; the lands have not been appraised as yet. That will be done under the direction of the Secretary of the Interior.

Mr. GAINES of Tennessee. This comes from the Public Lands Committee?

Mr. FRENCH. It comes from Indian Affairs.

Mr. GAINES of Tennessee. We had something of this sort before that committee, it seems to me.

Mr. MANN. Will the gentleman yield for a question?

Mr. FRENCH. Yes.

Mr. MANN. What is the purpose of this bill? What is the object of getting this land?

Mr. FRENCH. Well, for two purposes; four sections to the insane asylum—

Mr. MANN. I understand what the bill provides; but what do they want the land for?

Mr. FRENCH. They want to use the land for the support of the asylum, and as well to furnish means of employment for such inmates as would be able to work.

Mr. MANN. Is it proposed to have the insane asylum located on this land? There is nothing in the bill or in the report to indicate that.

Mr. FRENCH. The asylum is already located, but it is so near the lands that the lands could be made serviceable for the asylum, and it is difficult to acquire any land—

Mr. MANN. No one knows how near it may be to the asylum. How large is the Coeur d'Alene Reservation?

Mr. FRENCH. It embraces something like half a million acres of land.

Mr. MANN. The gentleman does not know how near they may select this land to the asylum, nor for what purpose they are going to select it?

Mr. FRENCH. The authorities of the asylum want the land for the use of the asylum in its maintenance and in furnishing employment to such of the inmates as may be able to work.

Mr. MANN. They propose to send the inmates of this asylum off several miles, or 40 or 50 miles, in order to work this land?

Mr. FRENCH. Well, under the management of the asylum there are some inmates who would be benefited. The asylum has already some land that they are using for the purposes I have mentioned. They want to get this land from this source in order to save the trouble and expense of trying to acquire as much as they want from numerous individuals.

Mr. MANN. I am afraid very much that the gentleman can not answer the question, from lack of information.

Mr. FRENCH. I think I have answered the question.

Mr. MANN. Here is a proposition to let the State of Idaho select four sections of land for the State Insane Asylum and another lot of land for the State University. There is no restriction made as to whether it is to be used, nothing to indicate whether it is real-estate speculation which the State wishes to embark in or whether they wish to use the land for the purpose of carrying on the work of the two institutions.

There is nothing in either the bill or the report which gives any indication, and the gentleman himself seems unable to inform us.

Mr. FRENCH. But I have informed the gentleman as to what is the object of the bill.

Mr. MANN. Where is the land to be found?

Mr. FRENCH. It may be any unallotted lands within the reservation. In the one case the land is to be selected by the board of regents of the university, with the approval of the Secretary of the Interior, and in the other by the governor.

Mr. MANN. Well, it strikes me to be a very ridiculous proposition for an insane asylum to purchase land at some consider-

able distance from the asylum with a view of having inmates work on the land.

Mr. FRENCH. Of course the authorities of the asylum would doubtless employ many men in the handling of this land. They would use the land for the purpose of raising garden products and grain, for pasturage for stock, and all that sort of thing for the institution.

Mr. MANN. This land is now subject to homestead entry, is it?

Mr. FRENCH. No; but the reservation will soon be opened for settlement, and when that is done the land will be taken up by private individuals, and it will be impossible for the institution to acquire any considerable area of land without great work, and they would have to pay more money for such lands than if they were allowed to have an opportunity to purchase the lands in the manner proposed.

Mr. GAINES of Tennessee. Will the gentleman yield to me for a moment?

Mr. FRENCH. Certainly.

Mr. GAINES of Tennessee. Why did you not put a minimum price on this land?

Mr. FRENCH. We can not do that reasonably prior to appraisalment.

Mr. GAINES of Tennessee. Why was it not done?

Mr. FRENCH. My original bill fixed the price as the appraised price.

Mr. GAINES of Tennessee. Why was it stricken out?

Mr. FRENCH. It was stricken out because no definite price had been fixed.

Mr. GAINES of Tennessee. You can say whether it is worth \$2.50 an acre or \$5 an acre?

Mr. FRENCH. We can hardly indicate an approximate price for these lands.

Mr. GAINES of Tennessee. What do you suppose it is worth an acre?

Mr. FRENCH. It has not been appraised as yet.

Mr. GAINES of Tennessee. How do you know it will take four sections if you do not know something about the value?

Mr. FRENCH. They want to have that amount of land.

Mr. MANN. Of course, if it is to be used for real asylum purposes, that is one thing; if it is really to be used as a real-estate speculation, I would like to find it out.

Mr. FRENCH. It has nothing to do with a real-estate speculation.

Mr. GAINES of Tennessee. I am going to object to the consideration of the bill unless something of an arrangement can be made by which a minimum price will be fixed. I do not want to be captious. Why do not they put that in, and why leave it with the Secretary of the Interior?

Mr. MANN. I want to call the attention of my friend from Tennessee to the report. On the second page of the report he will find this report from Mr. Pierce, Acting Secretary of the Interior, in which he says:

I have no material objection to the enactment of the bill, as the price which the Indians will receive from the asylum for the lands will equal the amount which they will receive were the lands appropriated under the homestead laws.

So I take it that so far as the price is concerned, that is practically fixed by the Interior Department, and it is that they would fix the price at the same price as it would be offered to homesteaders.

Mr. GAINES of Tennessee. What is the price? Does the gentleman know what the value of those lands are?

Mr. FRENCH. As I say, the price will be fixed by a board of appraisers, who are to appraise the land.

Mr. GAINES of Tennessee. How much in dollars and cents?

Mr. FRENCH. The lands have not been appraised yet.

Mr. GAINES of Tennessee. What did you propose?

Mr. FRENCH. I have not proposed any amount.

Mr. GAINES of Tennessee. You say that you put a minimum price for this land in your bill?

Mr. FRENCH. We struck out that. It was to be the appraised price.

Mr. GAINES of Tennessee. What was the minimum price in dollars and cents?

Mr. FRENCH. It was not in dollars and cents. It was the value the commission would place upon it. We think they will appraise some of the land at one figure and some of the land at another.

Mr. GAINES of Tennessee. How much is it worth an acre?

Mr. FRENCH. It has different values.

Mr. GAINES of Tennessee. Did you ever see the land?

Mr. FRENCH. I have been over the land.

Mr. GAINES of Tennessee. Is it timber land?

Mr. FRENCH. They do not want any timber land. There is some land that has timber on it, but what they want is

agricultural land, to be used for the asylum; and the university wants its section of land in order to establish a biological laboratory upon it.

Mr. GAINES of Tennessee. I ask the gentleman to let the bill go over until to-morrow.

Mr. FRENCH. Very well.

Mr. GAINES of Tennessee. Mr. Speaker, for the present I will object, and ask that the bill go over.

The SPEAKER. Objection is heard.

BRIDGE ACROSS SANTEE RIVER, SOUTH CAROLINA.

Mr. LEVER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 23711) to build a bridge across the Santee River, South Carolina.

The bill was read, as follows:

Be it enacted, etc., That the Santee River Cypress Lumber Company, a corporation organized under the laws of the State of Illinois, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a drawbridge and approaches thereto across the Santee River at or near its lumber mill plant and property from its property in Clarendon County, S. C., on the east or north bank, as may be, to its property on the west or south bank, as may be, of said river, in the State of South Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. LEVER, a motion to reconsider the last vote was laid on the table.

NEZ PERCÉ INDIAN RESERVATION.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from further consideration of the bill (H. R. 19095) authorizing the Secretary of the Interior to sell isolated tracts of land within the Nez Percé Indian Reservation, and that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Idaho asks unanimous consent that the Committee of the Whole House on the state of the Union be discharged from further consideration of the following bill, and that the same be considered in the House.

The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to sell at public auction any isolated and unappropriated public lands embraced within the Nez Percé Indian Reservation in the same manner as isolated tracts within the public domain are sold under the general law providing for the sale of isolated tracts.

With the following proposed committee amendment:

Provided, That for agricultural lands purchasers under this act shall pay not less than \$3.75 per acre, and for lands valuable for stone and timber they shall pay not less than \$5 per acre.

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. Reserving the right to object, I should like to ask the gentleman a question. We could not hear the reading of the bill. Now, what is it?

Mr. FRENCH. Mr. Speaker, the bill provides that isolated tracts of land on the Nez Percé Indian Reservation may be sold under the isolated-tract law, provided, however, that a greater price per acre shall be fixed as the minimum. The reason for the passage of the bill is this: The Nez Percé Reservation was opened to settlement something like fourteen or fifteen years ago. Most of the lands have been taken up under the law that was passed providing for the opening of this reservation. A few patches here and there remain which would make desirable accessions to farms, yet at the same time they are of such small value that no one can afford to take up the land under the law, and the Government has no means of disposing of these tracts. The Government has a means of disposing of other isolated tracts in all the public domain. Here is a reservation that was not taken care of in that respect, and these isolated tracts lie there undisposed of.

Mr. CLARK of Missouri. How does it happen that these lands were left out of the general law?

Mr. FRENCH. I do not know how it happened. The isolated-tract law does not apply to these lands. Individuals have tried to buy them, but the department holds that the general isolated-tract law does not apply, and we simply want to have it applied to these lands.

Mr. CLARK of Missouri. What is the minimum price fixed on them?

Mr. FRENCH. The minimum price under the isolated-tract law is \$1.25 an acre. Here it is \$3.75 an acre, because that was the minimum price under the special law opening the Nez Percé Reservation.

Mr. CLARK of Missouri. How much is this land worth now? Mr. FRENCH. It certainly can not be worth much, or it would be taken up under the homestead law.

Mr. CLARK of Missouri. How large are the tracts?

Mr. FRENCH. Each isolated tract must be very small. I do not know the exact size.

Mr. CLARK of Missouri. Forty acres, 80 acres, or 160 acres?

Mr. FRENCH. They must be not greater than 160 acres.

Mr. MANN. Why?

Mr. FRENCH. Under the general isolated-tract law they must be not greater than that.

Mr. MANN. Under the isolated-tract law they must be not over 40 acres, but this has no such restriction.

Mr. FRENCH. Lines 7 and 8 provide for their sale under the general law providing for the sale of isolated tracts.

Mr. MANN. That provides that the sale shall be made "in the same manner;" that only provides for advertising, as to the manner of making the sale. The isolated tract land law provides that you can sell only 40 acres or less under it. There is no such limitation here. Under this bill you can sell 1,040 acres by advertising for the highest bidder.

Mr. BONYNGE. What is the largest isolated tract in this territory?

Mr. FRENCH. I do not know.

Mr. MANN. There is no information before the House as to how much land there is among the isolated tracts.

Mr. FRENCH. There are very few tracts, scattered here and there.

Mr. MANN. I think we ought to have a report from the department showing the amount of land.

Mr. CLARK of Missouri. Mr. Speaker, I will end this discussion by objecting, until we can get a chance to investigate it.

The SPEAKER. Objection is made.

Mr. PAYNE. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is the call of committees.

ESTABLISHMENT OF JUDICIAL DIVISIONS IN THE DISTRICT OF INDIANA.

The Clerk called the committees, and when the Committee on the Judiciary was reached,

Mr. JENKINS. Mr. Speaker, by direction of the Committee on the Judiciary, I call up for passage the bill (H. R. 21898) to provide for the establishment of judicial divisions in the district of Indiana, designating the places where court shall be held, and for other purposes connected therewith.

The Clerk read the bill, as follows:

Be it enacted, etc., That the judicial district of Indiana is hereby divided into six divisions, which shall be known, respectively, as the "first division," the "second division," the "third division," the "fourth division," the "fifth division," and the "sixth division" of the district of Indiana. The counties of Allen, Dekalb, Steuben, Lagrange, Noble, Elkhart, Kosciusko, Wabash, Miami, Huntington, Whitley, Wells, Adams, Blackford, and Jay shall constitute the first division, and the court for said division shall be held at Fort Wayne, Ind. The counties of Lake, Porter, Laporte, St. Joseph, Marshall, Starke, Fulton, Pulaski, Carroll, White, Jasper, Newton, Benton, Tippecanoe, and Warren shall constitute the second division, and the court for said division shall be held at Hammond, Ind. The counties of Vanderburg, Posey, Warrick, Spencer, Perry, Dubois, Pike, Gibson, Knox, Daviess, and Martin shall constitute the third division, and the court for said division shall be held at Evansville, Ind. The counties of Floyd, Harrison, Crawford, Orange, Washington, Clark, Jackson, Scott, Jennings, Jefferson, Ripley, Ohio, and Switzerland shall constitute the fourth division, and the court for said division shall be held at New Albany, Ind. The counties of Sullivan, Greene, Lawrence, Vigo, Clay, Vermillion, and Parke shall constitute the fifth division, and the terms of court for said division shall be held at Terre Haute, Ind. The remaining counties embraced in said district shall constitute the sixth division, and the terms of court for said division shall be held at Indianapolis, Ind.

Sec. 2. That the terms of said courts shall be held: In the first division at Fort Wayne, Ind., on the first Monday in May and the third Monday in November of each year; in the second division, at Hammond, Ind., on the third Monday in April and the first Monday in November in each year; in the third division, at Evansville, Ind., on the third Monday in March and the first Monday in October of each year; in the fourth division, at New Albany, Ind., on the first Monday in March and the third Monday in September of each year; in the fifth division, at Terre Haute, Ind., on the first Monday in April and the third Monday in October of each year; in the sixth division, at Indianapolis, Ind., on the third Monday in May and the first Monday in December of each year: *Provided, however,* That if a trial is in progress in either of the divisions aforesaid at the time when the term of court in either of said other divisions is to begin, then the court shall continue in session in said first-named division until said case is disposed of.

Sec. 3. That all civil suits not of a local nature which shall be hereafter brought in said district against a single defendant, or where all the defendants reside in the same division of said district, shall be brought and tried in the division in which the defendant or defendants reside; but if there are two or more principal defendants residing in different divisions, such suit or proceeding may be brought and tried in either division, and all mesne and final process subject to the provisions of this act, issued in either of said divisions, may be served and executed in any or all of said divisions.

Sec. 4. That in all cases of removal of suits and proceedings from the courts of the State of Indiana to the courts of the United States in said district, such removal shall be to the United States courts in the division in which the county is situated from which the removal is made, and the time within which the removal shall be perfected, in

so far as it refers to or is regulated by the terms of United States courts, shall be deemed to refer to the terms of the United States courts in such division.

Sec. 5. That prosecutions for crimes or offenses hereafter committed in said district shall be tried within the division in which such crimes or offenses are committed, and all grand and petit jurors summoned for service in any division shall be residents of such division.

Sec. 6. That all civil suits and proceedings now pending in the circuit or district courts of said district which would, if instituted after the passage of this act, be required to be brought or tried in any particular division thereof, shall be transferred to such division and there disposed of in the same manner and with like effect as if the same had been there instituted; and all process, writs, and recognizances relating to such suits and proceedings so transferred shall be considered as belonging to the terms of the court in the divisions of said district in which they are tried, in the same manner and with like effect as if they had been issued or taken in reference thereto originally.

Sec. 7. That full records in all actions and proceedings in any division shall be kept in the office of the clerk in such division, and that the clerk of the district and circuit courts for the district of Indiana and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said courts; and said clerk and marshal shall appoint deputies in each of said divisions in which a deputy clerk and deputy marshal does not already reside, who shall reside in and keep their offices at the place of holding court in each of said divisions.

Sec. 8. That all acts and parts of acts inconsistent herewith are hereby repealed.

Mr. PARKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. PARKER. This bill provides for the appointment of various clerks or deputies with salaries, and I think the bill ought to go on the Union Calendar.

The SPEAKER. Will the gentleman from New Jersey call the attention of the Chair to that part of the bill which he refers to?

Mr. PARKER. At the end of section 7, page 5, it says:

And said clerk and marshal shall appoint deputies in said division in which a deputy clerk and deputy marshal does not already reside, who shall reside in and keep their offices at the place of holding court in each of said divisions.

Mr. CLAYTON. I submit, Mr. Speaker, that the point of order made by the gentleman from New Jersey comes too late.

Mr. JENKINS. Mr. Speaker, the bill makes no charge whatever on the Treasury. There is no provision that they shall be paid out of public money. They have to be paid by the clerk and the marshal. There is no provision in the bill making a charge on the Treasury.

Mr. MANN. May I ask the gentleman whether, if this bill passes, it does not authorize an appropriation to pay the deputy clerks and deputy marshals?

Mr. JENKINS. No; because they are paid by fees.

Mr. MANN. Not at all.

Mr. CHANEY. I understand that they are paid by fees.

The SPEAKER. The Chair is under the impression that the clerks of the federal courts are paid from fees that are received, and that their pay does not exceed the amount of the fees; that there is a limitation on the salary from the fees after a maximum is received, and that the remainder, if any, goes into the Treasury.

Mr. JENKINS. The practice has always been in cases of this kind that where no provision is made for the payment out of the Public Treasury the clerk and marshal shall pay out of their own moneys.

Mr. WALDO. Is it not a fact that the fees that are received by the clerk are paid into the United States Treasury, except certain specified amounts?

Mr. JENKINS. That has already been stated.

Mr. WALDO. Then, indirectly it is a draft on the United States Treasury, is it not?

The SPEAKER. The Chair only speaks from his general recollection as to how the clerks are compensated, but it seems to the Chair that it is a matter of speculation or surmise as to whether there is a charge on the Treasury. In such cases it has been usual to consider these bills in the House as belonging on the House Calendar. Points of order in such cases, as the Chair recollects, have not been sustained. The Chair therefore overrules the point of order.

Mr. JENKINS. Mr. Speaker, I now yield ten minutes to the gentleman from Indiana [Mr. CHANEY], who introduced the bill.

Mr. CHANEY. Mr. Speaker, this bill has for its purpose the making of the United States courts within the district of Indiana convenient to the people and litigants of that State. As it is now every person who brings a suit in the United States court for the district of Indiana must go to Indianapolis and institute his suit, and he must take all his witnesses there, where they must pay their hotel bills, and he must be at the expense of going the distance from his home to the capital of the State that his controversy may be determined.

Moreover, Mr. Speaker, if he employs a lawyer from his own neighborhood he has to pay the expenses necessary for the

transportation of the lawyer from his home to the court at Indianapolis and pay his expenses at a hotel while there. So it is, therefore, an advantage in two respects. It gives to the people the advantage of having a chance to go into the United States court for the determination of the matters which belong in the United States court without inconvenience and without extra expense.

It enables the lawyers who live outside of the city of Indianapolis to have a chance to earn fees in the practice of the law in the courts of the United States. About the only real objection to this bill proceeds from those persons who now have a monopoly of practice in the United States courts in the State of Indiana because of their fortunate location in the city of Indianapolis, where the United States court is held.

Mr. DIXON. Do I understand the gentleman to say that at the present time one can only file a suit in the federal court at Indianapolis?

Mr. CHANEY. I undertake to say that the only place where suits are filed and tried in United States courts for the district of Indiana is at the city of Indianapolis.

Mr. DIXON. They can be filed in any of the districts.

Mr. CHANEY. Oh, I think they could be filed and transmitted by mail possibly to the clerk's office at the capital of the State. I have no doubt of that.

Mr. DIXON. They are placed on the docket in the respective districts.

Mr. CHANEY. But when you come to try the case the litigant must go to Indianapolis to try the case, and his lawyer must go along. The result of it all is that the litigant concludes that if he has to pay his lawyer the fee to go to Indianapolis to try his case for him and pay his expenses while there and his hotel bill while he is there, he better employ an Indianapolis lawyer, who does not have to go away from home and to whom he would not have to pay these extra expenses. Now, after the 4th of March next I shall be under the necessity of earning my bread in the sweat of my face, and, as I am a lawyer, I want to have the chance to practice in the United States court in my State. I am therefore interested personally in the passage of this bill.

Mr. LANDIS. I would like to ask the gentleman a question. Does he not think, then, that the title of the bill should be changed?

Mr. CHANEY. Oh, I think it is not necessary to change the title of the bill, because I will be sure to mix in the practice of the United States courts if I get an opportunity.

Mr. LANDIS. I would suggest that the title be changed to "A bill to provide a local court subject to the United States court's jurisdiction in which the gentleman from the second district can practice."

Mr. CHANEY. Oh, I would like to inform the gentleman, who is a farmer and not a lawyer [laughter], that it will not have any such modification as that. I want simply to say that this bill provides for holding the United States district court for Indiana in Indianapolis, Evansville, New Albany, Fort Wayne, Hammond, and Terre Haute.

Mr. WALDO. Will the gentleman yield for a question?

Mr. CHANEY. I must say if I am only to get ten minutes I must have a chance to make my speech.

Mr. WALDO. I would like to know in which one of those towns the United States court is already held.

Mr. CHANEY. The United States court is held in no place in any of these towns save Indianapolis at this time.

Mr. WALDO. Are not there divisions already in the State?

Mr. CHANEY. There are divisions in the State of Indiana providing that the United States judge may hold court in Evansville, New Albany, Fort Wayne, and Hammond—outside of Indianapolis—but he will not do it.

Mr. WALDO. Is it not a fact that he holds court in those places whenever there is any business?

Mr. CHANEY. He does not hold court there.

Mr. WALDO. I would suggest that instead of this bill the proper application of the gentleman should be to the President of the United States for this man's removal.

Mr. CHANEY. We have had enough experience along that line to believe it is an easier matter to do this business by passage of this bill than to follow the suggestion of the gentleman from New York.

Mr. BUTLER. Is there any provision for holding court in these places?

Mr. CHANEY. It is provided that the court may hold sessions at Evansville, New Albany, Fort Wayne, and Hammond; but the United States judge does not find it imperative to do so, and he prefers to stay at home to hold the court, and the result is that we do not have any court held there.

Mr. BUTLER. Are accommodations made there now for holding the court?

Mr. CHANEY. Accommodations are easily made. At every one of these places there is a federal building, and it is very easy to rig up a place for the United States court to be held.

Mr. PAYNE. Then we will have to build a building for the court room.

Mr. CHANEY. Oh, no; we have a court room already. All that would have to be done would be to put in a bench for the judge to sit behind and to provide chairs and tables for lawyers.

Mr. BUTLER. In these places now where the judge may hold court are accommodations provided at this time?

Mr. CHANEY. So far as the building is concerned accommodations are provided.

Mr. BUTLER. But the court rooms are not provided?

Mr. CHANEY. Take it at Terre Haute, for instance, where there is simply a provision now for the post-office and the internal-revenue offices—there is a large room which will be commodious for holding court in that building.

Mr. BUTLER. I understand that it is not compulsory to do so now.

Mr. CHANEY. No.

Mr. BUTLER. Terre Haute is not one of the places provided now?

Mr. CHANEY. No; it is one of the places that is added in this bill.

Mr. BUTLER. But at Evansville the judge may hold court?

Mr. CHANEY. Yes.

Mr. BUTLER. I understood the gentleman to say that he never did. Is the court room arranged for his accommodation?

Mr. CHANEY. The room is not absolutely arranged, but that is a very simple matter and it could be readily arranged.

Mr. BUTLER. I understand that, but I wanted to know whether accommodations had been afforded the judge so that he could hold his court at that point.

Mr. CHANEY. That is a matter that would be very easily provided for, and without any considerable expense, if there was a requirement that court be held at those places.

Mr. LANDIS. The gentleman does not mean to be understood to say that the judge does not hold court at Evansville?

Mr. CHANEY. I mean to be understood as saying just exactly that thing. He visits Evansville, Fort Wayne, New Albany, and Hammond for the purpose, as I take it, simply of conferring about any business the people of these places may have.

Mr. LANDIS. And he never holds court?

Mr. CHANEY. No.

Mr. LANDIS. Does not the gentleman know that no cases have been removed from any of those points to Indianapolis except at the request of the parties to the litigation and not because of the desire or the pleasure of the court?

Mr. CHANEY. Well, I do not know precisely as to what my colleague refers, but I simply know this, the United States court has not been held at those places, and the people demand that they shall have the privilege of having court held at those places.

Mr. LANDIS. I will state Judge Anderson, of the federal court, informed me that no cases had been removed from those points to Indianapolis except on the motion of the parties to the suit.

Mr. CHANEY. Then, I want to ask the gentleman a question. Has the United States judge ever tried a case at either Evansville, New Albany, Fort Wayne, or Hammond?

Mr. LANDIS. I think he has.

Mr. OVERSTREET. Will the gentleman answer this question? Will the gentleman tell how many cases have emanated from those outside points within the last five years?

Mr. CHANEY. Mr. Speaker, I will answer that question because that is exactly to the point now. I want simply to say that because the United States district court is held only at Indianapolis there have been just as few cases filed from these respective localities in the United States court at Indianapolis as possible because of the inconvenience attending it.

The SPEAKER. The time of the gentleman has expired.

Mr. JENKINS. Mr. Speaker, I now yield five minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER. Mr. Speaker, I am not from Indiana and I do not speak at first hand. This matter was very carefully considered. We understood that there was opposition on the part of the gentleman from Indiana, the chairman of the Committee on Post-Offices and Post-Roads, but his engagements were such that he was not able to attend the hearings. He asked for further time, but a report was put in. I simply stated in my very short minority report the way in which the matter struck me. I am unable to concur in the majority report for dividing the State of Indiana into six divisions. Our information as to the press of business or necessity usually comes from the judge or the district attorney, and they do not recommend

it nor have we received such recommendation from the Department of Justice. It has written some letters, but nothing recommending this bill. I find that there is no delay whatever in business in Indiana, that one judge is able to do the business, and six divisions will mean sooner or later more judges. The State is compact. The capital is in its geographical and railroad center. Under the present law two terms must now be held in five different towns. I am not quite clear as to whether there has to be one at each town or two in each town each year. I think that the convenience of the people and of the bar is generally much better served by leaving the place of trial to the discretion of the court rather than by attempting by legislation in Congress, where we know nothing about it, to force the trial in any particular division that we may form. So, with a divided representation from the State, I would not be willing to support this bill, and I am not so willing now, and with these remarks I must leave it to the House.

Mr. JENKINS. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. HOLLIDAY].

Mr. HOLLIDAY. Mr. Speaker, this matter is of moment to the people of Indiana. In all of the neighboring States they have more than one district, and they all have several subdivisions. I can not from memory state the exact number of districts of the adjoining States, but there are at least two districts in Kentucky, which have a smaller population than Indiana, and I think there are four places of holding court.

Mr. LANGLEY. Four in the western district and six in the eastern.

Mr. HOLLIDAY. Ten places where the judges are compelled to hold court. Illinois has five federal judges, but I do not know in how many places they are required to hold court. Ohio has three, and Michigan has two federal judges, while still having a smaller population than Indiana. Why should this discrimination be made against the people of Indiana? It is said that there is not enough litigation to warrant it. The reason there is not enough litigation to warrant it, Mr. Speaker, is because the people dislike to be dragged off to Indianapolis, and for that reason refuse to bring their cases in the federal court. I have known instances in which litigants brought their suits for less than they wanted to in order to prevent them being carried into the federal court, when they were bringing suit against a foreign corporation. As a matter of fact, the arrangement in Indiana practically amounts to a denial of justice. It is a very fine thing for the people of Indianapolis to have a monopoly of this federal business so long. It is a bad thing for the State at large, and I hope that this House will vote to pass that bill and give us this relief. I do not care whether it helps the lawyers or not. They can take care of themselves. I want some arrangement made by which a poor man will not be compelled to go to Indianapolis, away from his home, pay the way of his witnesses, and other expense away from home, when he is entitled to trial at his home.

Mr. MANN. Will the gentleman yield for a question?

Mr. HOLLIDAY. Oh, yes.

Mr. MANN. Is this poor man, who can not get to Indianapolis and file a suit in the federal court, able to bring a suit at home?

Mr. HOLLIDAY. In some instances, yes. I am speaking of the defendant more largely than the plaintiff.

Mr. MANN. The defendant has nothing to do with the amount of litigation, has he?

Mr. HOLLIDAY. The defendants, especially in criminal cases. In civil cases a man will bring his suit for a sum too small to enable the corporation to carry it into the federal court, for the reason that he does not want to go away from his home to try the case. A man is entitled to be tried by a jury of his peers.

Mr. MANN. At home?

Mr. HOLLIDAY. At home, or just as near to his home as possible.

Mr. MANN. In the state courts? You want to force him into the federal courts.

Mr. HOLLIDAY. People get into the federal courts sometimes through no fault of their own. They are entitled to a speedy hearing. They are entitled to consideration. They are entitled to be tried at home, among their neighbors, without being put to this expense. The question is asked, Why the necessity for these districts in other States? There are three districts in Florida where the population is less than one-third of the State of Indiana. Indiana is a great, rich, and populous State. There is no reason on earth why the same rule that applies to other States in the Union ought not to apply to Indiana.

I do not agree with my learned friend from New Jersey [Mr. PARKER] that the judge himself is the first person to decide this matter. The judge decides to hold a case where it puts him to the least possible inconvenience. That is the way he has always decided, and judges are made up of human nature the same as other men are made. They will not put themselves to inconvenience if they can help it.

I believe, Mr. Speaker, that the courts were made for the people. I do not believe that the people were made for the courts. [Applause.] Let us give the people a chance to get to their courts, let them have a chance to be heard, and it does not matter as to what is most convenient for the lawyers. I pass that by. I do not care what is most convenient for the judges or the clerk of the court, but I do care what is most convenient for the people, and the people are demanding that this bill be passed.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. OVERSTREET] have forty minutes, not to come out of the time of the committee.

Mr. WALDO. Mr. Speaker, I would like to have five minutes in that application.

The SPEAKER. The gentleman from Wisconsin [Mr. JENKINS] can reserve his time and yield such time as he desires. They can arrive at that later on.

Mr. OVERSTREET. Mr. Speaker, I am perfectly willing to accommodate the chairman of the committee, but I would rather have a little time in my own right in order that I may be able to yield to some gentlemen who desire time on the bill.

Mr. JENKINS. Then I will reserve the balance of my time and yield to the gentleman from Indiana.

Mr. OVERSTREET. Mr. Speaker, I would like to speak to the merits of this bill, entirely free from prejudice, in the hope of convincing the House that this measure ought not to pass. It is well enough for gentlemen, in the name of the dear people, to invoke applause and challenge sentimental considerations in adopting legislation; but when you come to the enactment of law it is far better to speak entirely to the merits of the question regardless of the power of sentiment which Members may have of a personal character.

My colleague [Mr. CHANEY] revealed the entire policy of the supporters of this measure, I think inadvertently, in being stung to an answer by a question propounded by my colleague [Mr. LANDIS]. He wants this bill passed for the advantage of Mr. CHANEY, to aid him in litigation in the federal courts. Mr. Speaker, this measure is not in the interest of Mr. CHANEY, but is in the interest of litigation—

Mr. CHANEY. Mr. Speaker—

Mr. OVERSTREET. And for that reason ought not to pass.

Mr. CHANEY. Mr. Speaker—

The SPEAKER. Does the gentleman yield to his colleague?

Mr. OVERSTREET. I yield for a question.

Mr. CHANEY. I simply wanted that no such impression should go out as that this bill is for the purpose of providing for the lawyer. That was only an incidental remark of mine, and therefore I do not want anybody to suppose that I have no other purpose in passing this bill than to make it interesting for myself.

Mr. OVERSTREET. I am perfectly willing for the Members who heard the gentleman's reply to construe what he meant by it. It was the most effective argument that has been made in support of the measure. We have in Indiana one district—one district of the entire State. There are five places for the holding of courts, where suits may be brought, and provisions of law for two terms of the court in each place. In spite of what has been said by the gentlemen who have spoken in support of this measure, I undertake to say, and I challenge contradiction from any reputable source, that in not one solitary instance in Indiana have any of the judges ever refused, ever arbitrarily declined to hear a case in any one of these several districts.

Mr. COX of Indiana. Will the gentleman yield?

Mr. OVERSTREET. I yield for a question.

Mr. COX of Indiana. Is it not a fact that there has not been a single case tried in New Albany in the federal court in the last seven years?

Mr. OVERSTREET. I do not know how many years, but I am coming to that presently. One of the arguments that is urged against this bill is that there is no litigation there in the federal court. The judge always attends under the law and his oath at each of these several points when there is business to be transacted, and under the law his officers are compelled to attend. They have the right to remove a cause to Indianapolis, the capital, upon motion or argument of the parties.

Now, Mr. Speaker, this law, if the House should adopt this bill, will divide the State into six territorial divisions. It arbi-

trarily provides that in all suits, criminal and civil, as well on the chancery as on the law side of the court, the issues shall be made, the grand juries meet, and the cases brought to a conclusion in the divisions where the causes are originally brought. It is a question of litigation and not of the litigants. I again refer to the argument of my colleague [Mr. CHANEY], which discloses it is in the interest of stimulating business in the federal courts.

I do not share the feeling of my colleague [Mr. HOLLIDAY] that the State of Indiana has been discriminated against in the matter of the federal court divisions. It is a tribute to the State of Indiana that the federal court business has fallen off in that State. It is a compliment to the people that they do not go to law as much in our State as they do elsewhere; and I think I am making no disparagement of our neighboring States because we have a reduction in federal suits. But we have no complaint among the people of Indiana as to justice and accommodation of the parties in our suits in the federal courts.

I wish, Mr. Speaker, to call attention to the fact that the judge holding the court in Indiana, the clerk and officers in charge of the records of the court, and the Attorney-General of the United States have all uniformly recommended against this legislation. Where else would you go? To gentleman who are interested in stimulating the business of the courts?

The Attorney-General in two or three different letters has expressed decided opposition to the division of the State of Indiana into these several judicial divisions. The clerk of the court has by repeated letters given instances of the falling off of the business in the federal courts as an evidence that the litigation has been cared for and concluded to the satisfaction of all parties. The judge of the court in a letter over his own signature, which I shall read in a moment, states not only his ability to take care of all federal business in that State, but to have time to give aid to other States, notably Illinois, at Chicago, in the relief of the courts there, and then have from three to four and one-half months every year for his vacation.

Mr. COX of Indiana. The gentleman states that the Attorney-General has sent a recommendation against the passage of this bill.

Mr. OVERSTREET. I so stated.

Mr. COX of Indiana. Does the gentleman mean the Attorney-General or the United States district attorney?

Mr. OVERSTREET. The Attorney-General of the United States.

Mr. COX of Indiana. Which one of them?

Mr. OVERSTREET. The present Attorney-General. It is a recent letter.

Mr. COX of Indiana. Was that in a letter to the gentleman himself?

Mr. OVERSTREET. Yes. I am going to read the letter. I wanted to read these letters in the order of their dates. These letters may seem to gentlemen to be a little old, but the fact is that my colleagues, who are interested in the division of the State into federal districts, have each in turn introduced bills; I forget how many different ones. I think my colleague [Mr. CHANEY] introduced more than one, but each one of them took a shot at it; so that when I would prepare data they would overcome my opposition temporarily by introducing another bill, and that would be a more recent bill than I had data prepared for; but the conditions are the same in the State. There has been an unusual amount of interest displayed in this matter by my colleagues, who have desired the establishment of divisions in their judicial districts.

Mr. MANN. Will the gentleman yield for one question?

Mr. OVERSTREET. Yes.

Mr. MANN. Would the inevitable result of passing a bill like this, creating so many new divisions, be that another district judge would be required, who might be selected from among your colleagues?

Mr. OVERSTREET. I think if that had been made a part of the bill I might have withdrawn my opposition; but in all seriousness, I do believe that that result will undoubtedly follow the passage of this bill, and I predict now that if the House should inadvertently, without Members taking into consideration the real merits of this question, pass this bill, it will come back to this House with an amendment from the Senate, providing for another judge. Now, I do not want to make any statements which may wound the feelings of my colleagues. I prefer to base my opposition entirely upon the merits of this bill. My honest belief is that the litigation in the federal courts in Indiana has declined, and that it has declined as a result of proper causes, and not because of any lack of attention by the federal judge and his officers. I believe that in the future, as in the past, substantial justice will be given in all the cases

in the federal courts. But, Mr. Speaker, I wish to move a little more rapidly—

Mr. DIXON. Just a moment.

Mr. OVERSTREET. I will yield for a question.

Mr. DIXON. Does this bill require the holding of a grand jury at each term in each division; and what is your idea of the additional expense caused thereby?

Mr. OVERSTREET. I was just approaching that phase of my argument. The bill does require the holding of grand juries in each one of the several divisions instead of one grand jury, which the law now authorizes for the State.

That is to say, Mr. Speaker, in such instances there must be called together a grand jury twice a year to consider offenses against the federal laws. I do not see how we could avoid calling together two grand juries a year. That will multiply the expense, I should say, six times, with the exception of the difference in mileage which the jurors would be entitled to.

Take an instance of the violation of the postal law; somebody writes a dun for a bill on a postal card, which is a violation of the criminal code. Under the present methods that violator of the law would be brought before a United States commissioner, and the chances are that for that slight offense it would be transferred to the federal court where the judge then was sitting. Gentlemen will realize that nearly all the minor offenses of the criminal statutes are committed by poor people who can not give bail. Now, take for example this man who has written on a postal card a dun to a creditor. He can not be tried for six months in the division where the crime was committed, and he must wait the calling of the grand jury together in that district, and he must wait a trial there, and that will, in my opinion, result in many, many a poor fellow perjuring himself by pleading guilty in order to be free of the confinement in the jail. As it is now he need not wait twenty-four hours.

Another instance on the civil side: Suppose some petition is brought for an injunction in the federal court; a poor man's ground is about to be entered or taken by a railroad upon which to lay its tracks and he does not want his property to be taken; he does not desire the damage to be done, and he does not want to wait. He would bring his action by injunction wherever the court was then held, and it could be stopped; but under the provisions of this bill he would be compelled to wait until the court was held in that section of the State before he could have it heard. And if the suit were brought at the end of a term, he would have to wait for an extra term of court in order to make up the issue, and even a demurrer to the complaint could not be heard by the court. If there was much litigation in the State; if there was a crowded condition of the docket; if there was great inconvenience to litigants, then gentlemen might with some propriety and some force argue for the passage of this bill.

But it is said by the clerk of the court that since 1878 the litigation in the federal court of Indiana has been steadily declining. After the passage of the bankrupt law the bankrupt cases were taken before referees—11 of them in our State—and then it fell off very materially, and there is less business today, according to the letter that I have, than there was a year ago. It is steadily declining in all lines of litigation.

But, Mr. Speaker, in order to answer the argument of my colleague [Mr. CHANEY] as to why there have not been cases in other divisions than Indianapolis, I wish to read from a record as the strongest evidence that can be brought before the House. In the year 1907, ending December 31 this data was prepared by me to meet a bill which these gentlemen had brought up, not knowing whether another one might come up. I have not the data brought down to date, but I have the assurance of the clerk that it is less now than it was a year ago.

There were brought at Evansville no cases of civil suits by the United States. There were 2 civil suits and 1 criminal case, making 3 in that year in Evansville.

At Fort Wayne there were brought 6 civil and no suits of any other kind.

At New Albany there were 2 civil suits and none of any other kind.

At Hammond there were 2 civil suits and none of any other kind.

At Indianapolis there were 60 civil suits, 4 civil suits by the United States, and 34 criminal cases. Out of the total 98 cases in the year were brought at Indianapolis and 13 outside, making 111 cases all told in the State that year, both criminal and civil.

On the chancery side of the court, Mr. Speaker, the master in chancery goes to the people and takes the depositions and does not drag them to the court. There are so few civil cases in the

federal courts that there is no necessity of compelling the holding of courts at these different divisions in the State.

I will now read the letter of Judge Anderson, to which I referred a while ago:

The avowed object of the advocates of this bill, as I understand from the newspapers, is to bring these courts nearer to the people—that is, nearer to the litigants and their witnesses—to the end that litigation in these courts may be less expensive. The business here is divided into four classes: (a) Chancery; (b) common law; (c) criminal; (d) bankruptcy.

It is impossible to further localize the chancery business. Witnesses in chancery cases are not brought to the court to give testimony, but the master or the examiner goes to them. To attempt to dispose of the chancery business under the proposed bill would cause such delay and embarrassment as to amount to a denial of justice.

The effect of the bill would be to require all common-law and criminal cases to be tried in the respective divisions created by the bill. Since July 1, 1907, there have been 6 jury trials in common-law cases and 5 trials in criminal cases in these courts in the whole State. It is possible that there will be 1 common-law jury trial and 5 or 6 criminal trials between now and July 1, 1908, but no more. To require these cases to be tried as proposed by this bill would entail needless expense upon the Government and embarrass and delay the parties to the suits.

The bankruptcy business is now distributed among 11 referees throughout the State, and the proposed bill would not probably affect such business at all.

I am able to attend to all the business in this district under the present law without delay, economically, and have time to spare, but if the proposed legislation should be enacted, the business could not be attended to with anything like the promptness and economy with which it is now conducted.

Mr. Speaker, referring again to the disadvantages and evil effects of the calling of grand juries in these six several divisions, I want to cite the House to a law which was enacted for the very purpose of avoiding what this bill would bring about, if carried, and that is for the distribution from scattered points of the members of the federal grand jury in order that they might not fall within the influence of local sentiment, to the disadvantage of justice. This law is cited by the examiner sent to Indiana to investigate this very proposed legislation and by the present Attorney-General of the United States, and upon this report, in addition to other inquiries made by him, the present Attorney-General bases his opposition to the legislation. He says concerning that:

I can not approve of the provisions last above mentioned, since the effect of such provisions would be virtually to reverse the policy of the law embodied in section 802, Revised Statutes, taken from the judiciary act of 1789, which section reads as follows:

"Jurors should be returned from such parts of the district from time to time, as the court shall direct, so as to be most favorable to an impartial trial and so as not to incur any unnecessary expense or unduly to burden the citizens of any part of the district with such services."

Pass this law now before the House and we divide that little State into six different divisions, compelling the grand juries to meet twice a year in each division, forcing the trials there, and reversing the policy of the statute which has obtained for nearly a hundred years or for quite a hundred years.

Mr. HOLLIDAY. Will the gentleman yield for a question?

Mr. OVERSTREET. Just for a question.

Mr. HOLLIDAY. Has the gentleman made examination to determine whether these dire calamities of which the gentleman speaks have overtaken the States of Ohio, Michigan, Illinois, and Kentucky, where they have such courts?

Mr. OVERSTREET. Mr. Speaker, I think I can answer the gentleman. Ohio, Illinois, Kentucky, and Michigan have nothing to do with this case. Each State is an entity in itself. Its population, its condition of business, the character of the people, the character of the litigation—all are factors which enter into the matter in federal as well as state courts. I do not know how it is in these other States, but in the State of Indiana there is a law which relieves the federal court of much business by reason of compelling foreign corporations having agencies in the State to bring their actions in the state courts. That may possibly have something to do with the conditions which differ from those in the other four States mentioned. The population has not anything to do with it. I am surprised that my friend and colleague from the Fifth District [Mr. HOLLIDAY] does not take it as a compliment to the State instead of a stigma that we have less litigation there to-day than we had a year ago or five years ago or ten years ago.

Mr. HOLLIDAY. Mr. Speaker, I simply desire to say I believe that is brought about by the fact that everybody is compelled to go to Indianapolis.

Mr. OVERSTREET. By no means. I will say this, Mr. Speaker: The fact of the case is that there is not a State in the Union where the facilities of car traffic, by reason of interurban railway systems and electric lines, makes travel more easy or expeditious or satisfactory than in the State of Indiana. You can go from my friend's home at Brazil to Indianapolis ten times each day, if you wish, and return. My friend could eat

every meal at his own home and sleep in his own bed and try cases in Indianapolis every day the court is in session. If he is obliged to go to Terre Haute, where this bill provides the headquarters of his district, he would not have equal facilities there. There is very little difference between the two points. That, in a large measure, is the reason for attorneys bringing their cases there and transferring them. But I repeat, Mr. Speaker, and emphasize that no man has any right on this floor to question the integrity of the judiciary of the country and the State, as embodied in these letters to which I have referred, by holding the judge responsible for denying justice to these people who desire their cases tried in the federal courts. I defy and repudiate the assertion that litigants refuse to bring cases because they are obliged to go to Indianapolis. It is a stigma upon the gentleman's own constituency to insist upon it. They have the same right other litigants have, and their cases are frequently brought there and they are transferred only upon motion of the parties. I challenge contradiction of the statement that during Judge Anderson's career as a federal judge he has never in any single instance arbitrarily transferred a case from any one of these present divisions to the capital of the State, and I await with patience until any gentleman on this floor rises in his place and upon his own personal knowledge takes issue with that statement.

I have a right, Mr. Speaker, to claim that the silence of these gentlemen to my invitation is an admission that they themselves know of no instance where the federal judge has arbitrarily removed a case. These cases can now be brought in my friend Mr. HOLLIDAY's district, or Mr. CHANEY's district at Evansville or New Albany or Fort Wayne, or at Hammond, or at Indianapolis, at the option of the parties, and they are removed to the capital only upon motion of the parties or by agreement—never upon the arbitrary order of the court, and always for the convenience of the parties.

Mr. Speaker, I wish to close as I began. I want this House to decide this bill upon its merits. I do not oppose this bill because I happen to live at Indianapolis. Unlike my colleague from the second district, I doubt seriously if I live to be a hundred years old that I shall ever have a case to bring or defend in the federal court. Mr. Speaker, this is in the interest of good judicial administration. This House can not afford to simply blindly order this bill passed because some people think it would increase business in the federal court.

We can not easily pass aside the voluntary and recognized objection to this legislation by those most intimately acquainted with it, the Attorney-General of the United States and the district judge of the State. In the interest of the criminal administration of the law, the poor people who may have to recline in the walls of the jail to wait the hearing of the grand jury of their district, and in the interest of the economy of the administration of the law, in the interest of good administration of the federal judiciary of Indiana, without any feeling of whether or not another judge is to be appointed, but with the firm belief of what would be the ultimate result if this bill should pass, I hope the House will vote against the measure and defeat the bill.

Mr. Speaker, I now yield five minutes to the gentleman from New York [Mr. WALDO] and I reserve the balance of my time.

Mr. WALDO. Mr. Speaker, there is one very serious objection to this measure which I have not yet heard discussed. Under the present law relating to federal courts, and so far as I know throughout the whole of the United States, the records of the courts are kept at the central city in whatever district the court may be, so that anyone who desires to know what liens may exist upon real estate in the whole judicial district can go to one place—the clerk's office in that central city—and ascertain what liens there may be upon property in any part of that district. Under this bill the records are to be kept in each one of these six divisions relating to that division. The result would be that if anyone desired to search the title to a piece of property in Indianapolis he would have to go to the clerk's office in each of the six judicial divisions to ascertain whether there was not a lien existing against the property in that district.

Mr. HOLLIDAY. Will the gentleman yield?

Mr. WALDO. And anyone who has ever searched a title knows that is so. Yes; I yield.

Mr. HOLLIDAY. Do you mean to say, with land located in a particular district, a person would have to go to Indianapolis to find out the liens of record?

Mr. WALDO. He would have to go to each one of these six places to ascertain whether the court had not entered judgment against a man who owned property in Indianapolis and on which property such judgment would be a lien.

Mr. HOLLIDAY. The gentleman is entirely mistaken.

Mr. WALDO. Not at all. There is nothing in this bill to limit the force of the judgment of the district court in any of these proposed six judicial divisions of Indiana to the particular division, and in whatever division the judgment was entered it would cover real estate owned by the defendant in every district in the State. That is the result of the bill; that is the way it reads and there is no question about it—not the slightest.

Mr. HOLLIDAY. I would like to ask the gentleman if in the State of New York they have to examine the records in every district in the State?

Mr. WALDO. No, but you are not establishing districts; you are dividing a district into divisions for the purpose of holding court, and you have not limited the force of the judgment of the district court to that division in which the court is held. The lien of the judgment covers the real estate of the judgment debtor in the whole district, unless you limit the lien to the judicial division, and that you have not done. Now, there is another trouble here—

Mr. GOLDFOGLE. Will the gentleman yield? Will not the effect of this bill also be to increase the number of clerks, custodians, inspectors' divisions, and so forth?

Mr. WALDO. It expressly provides for a deputy clerk, deputy marshal, and so forth, in each one of the divisions.

Mr. GOLDFOGLE. Notwithstanding the small amount of business to which the gentleman from Indiana [Mr. OVERSTREET] referred?

Mr. WALDO. Certainly. So that the expenses of clerks' offices in each one of these six divisions would very much exceed the expense of establishing a new district. If it is necessary that they should have a new United States district court in Indiana, then Indiana ought to be divided and a new district court established so there would be two districts, and then the judgment of the court would run to the district, instead of dividing the present district, the whole State, into six divisions, with the judgment of each division running to the whole State, so far as the lien upon real estate is concerned. It certainly will create the greatest confusion. Another trouble, too, is that this law establishes a new theory with regard to United States courts, that the records of the court shall be kept at one central place in each district. We shall find at once, if this bill is passed, that in every part of every State, and especially at every place of any size, it will be demanded that there be a new clerk's office, and that the records be kept there. You will have entered upon an endless chain of business of this kind, which will disrupt the present orderly methods of doing business in the United States courts and be a great detriment instead of a benefit to the people.

Mr. OVERSTREET. Mr. Speaker, I ask that the gentleman from Wisconsin [Mr. JENKINS] occupy his time.

Mr. JENKINS. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. CLAYTON].

Mr. CLAYTON. Mr. Speaker, this bill comes from the Committee on the Judiciary, after a thorough and full investigation of the matter, and with the approval, I believe, of every member of that committee with the exception of one, the gentleman from New Jersey [Mr. PARKER]; and why the gentleman from New Jersey is opposed to the bill he did not make clear to the committee and, I must confess, did not make it clear this morning.

Mr. Speaker, nobody in this House, I suppose, is more reluctant to impugn the motives of any man. I find that the Members here, as a rule, when they act from any particular motive, act from a proper motive. Now, I do not blame the gentleman from Indiana [Mr. OVERSTREET], who resides in Indianapolis, for opposing this bill. It means much to his immediate constituents. It means much to the bar of Indianapolis. It means much to him, doubtless, when he shall, after the 4th of March next, again take his seat as a member of the bar at Indianapolis, and therefore, Mr. Speaker, representing the immediate constituents who are benefited more than any other constituency in Indiana by the law as it now stands, I think the gentleman is entirely right in opposing this measure.

The matter was threshed out very fully before the committee. Hearings were had, and the Indiana delegation was somewhat divided, but it appeared to the committee that a majority of that delegation favored the passage of this bill. It also appeared to the committee that it would be in the interest of public convenience of a majority of the people of Indiana, and by people I mean parties litigant, witnesses, and jurors, and not the lawyers nor the judge who presides over the court—I mean the people who are taken to the court as jurors, witnesses, and parties litigant. It is a convenience to have this

division in the matter of saving of railroad expenses, in the matter of saving mileage to the Government of the United States for court witnesses as well as other expenses, and in the matter of saving mileage to jurors. Therefore, I think that a great State like the State of Indiana ought to have more than one place in which to hold court. Practically to-day they hold court at but one place.

This bill simply contemplates a division of this district into subdivisions. Why, there is hardly any State in the Union where you find a condition as remarkable as that in the State of Indiana. Take my own State, for instance—not quite as large, I believe, in point of territory as the State of Indiana, not quite so large in point of population, but exceeding, I must say with a pardonable pride, any other State in point of intelligence and patriotism of its people [laughter], but confessing her inferiority to Indiana in other and minor respects only, I must say—that State has three judges. It has a northern district, a middle district, and a southern district, and has subdivisions in these districts, so that we hold federal court in that State now at eight different places. It is a great public convenience. It takes the court to the people, and I must say that one of the judges of that State particularly, a most estimable and worthy man, a splendid lawyer, and a patriot, has never opposed the establishment of divisions of court, but is always willing to carry justice to the people at little expense to them and at as little expense to the Government as possible.

Mr. WALDO. Will the gentleman yield for a question?

Mr. CLAYTON. I will.

Mr. WALDO. I would like to know whether the records of the courts in the gentleman's State are kept at different places?

Mr. CLAYTON. They are, of those particular courts; yes. They have deputy clerks and deputy marshals in these particular places. That ought to be the case in every court, because, Mr. Speaker, judgments in many of the States are liens against a man's property, and every man interested in business, and every man who lends money, sells goods, or transacts any business with any man in any community, should not only have an opportunity to examine the records of these mortgages and his own local court records, but, as far as may be, the convenience ought to be afforded him to examine the records of the federal court to see whether any given party has a judgment standing against it.

Mr. JENKINS. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. COX].

Mr. COX of Indiana. Mr. Speaker, I regret very much to see the delegation from Indiana divided upon this bill. Coming from the southern part of my State, and feeling the absolute necessity for the passage of this bill, I am heartily in favor of it for several reasons.

In the first place, while I believe the convenience of attorneys should be considered, their convenience is not a matter of paramount importance; but I do especially believe that the convenience of private citizens or litigants should be considered. There is only one federal court in the entire State of Indiana presided over by one federal judge. It is true that cases can be tried in the federal court in any other place, but it is equally true that it is practically impossible to have them come to a trial upon them. I know this from personal experiences, that cases have been removed from the circuit court of the State of Indiana, in my own county, to the federal courts of the United States, and transferred to the city of Indianapolis, and then, upon petition, transferred to the city of Evansville, and we have had these cases hanging fire for two years and never been able to get them to trial. I believe that the report of the committee speaks the truth.

Mr. LANDIS. I would like to ask the gentleman if it was the fault of the court that the cases could not be brought to trial?

Mr. COX of Indiana. Yes; largely.

Mr. LANDIS. Will the gentleman kindly name the cases?

Mr. COX of Indiana. Denne against the Southern Railroad, and Johnson against the Southern Railroad.

Mr. LANDIS. Were they damage cases?

Mr. COX of Indiana. Yes; for personal injury.

Mr. LANDIS. And the court refused a hearing to them?

Mr. COX of Indiana. We could never get the cases assigned for trial.

Mr. LANDIS. And the fault rested with the court?

Mr. COX of Indiana. Largely so; yes, sir; because we could not get the court to stay the statutory length of time so that we could have a trial.

Mr. LANDIS. What was the date?

Mr. COX of Indiana. I do not recollect the exact date, but it was within the last three or four years. I live in the southern

part of the State of Indiana, and the report sets out the fact that the distance is 364 miles from the city of Evansville to Indianapolis and return, that it is 326 miles from the city of Indianapolis to Hammond and return, and 238 miles from New Albany to Indianapolis and return. Every practical lawyer here will agree with me on this proposition, especially when you have a case before a jury in a court, either State or Federal, that depositions amount to but very little, and if you desire to win your case you will strain every nerve to get your witnesses to attend, to take them to the place of holding court, place them upon the witness stand, and submit them to the court and jury. And to travel from Evansville to Indianapolis and return, we can realize the enormous expense that there is attached to it. It is not proposed in this bill to provide that another federal judge be appointed, although that seems to be one of the objections waged against it. But I imagine that it would still be within the power of this House to disagree to an amendment, should an amendment of that kind be placed in the bill by the other branch of the legislative body. But, as my colleague from Alabama [Mr. CLAYTON] well stated, suppose it does create another court? What of it? In my judgment, the business of the State of Indiana requires it, and if the business of the federal court of the State of Indiana does demand another judge, let it come. It is a fact that in the past few years a large number of corporations have come into the State of Indiana, and are doing business in the State of Indiana, incorporated under the laws of the State of Virginia, New Jersey, or some other Eastern States.

The SPEAKER. The time of the gentleman has expired.

Mr. MADDEN. I ask unanimous consent that the gentleman may be allowed to proceed for five minutes more.

The SPEAKER. Is there objection?

Mr. JENKINS. Our time is pretty well taken up, but I yield five minutes more to the gentleman.

Mr. OVERSTREET. Will the gentleman yield to a question right on that point? Suppose a corporation should come into the State of Indiana, and had an agency in the State, would they be able to transfer their cases from the state courts to the federal court?

Mr. COX of Indiana. Yes, sir; a large number of them.

Mr. OVERSTREET. Is not there a state statute which compels them to try any suit they have in the state courts?

Mr. COX of Indiana. It applies to foreign insurance companies' cases.

Mr. OVERSTREET. But does not that statute apply to all foreign corporations?

Mr. COX of Indiana. No. In cases of this kind affecting foreign insurance companies, you can sue them in the state court, and by virtue of this statute they are compelled to litigate their action in the state court, but this statute does not apply to all nonresident corporations.

Mr. OVERSTREET. What kind of corporations does the gentleman refer to?

Mr. COX of Indiana. The Southern Railway Company, which runs through my district, is one of them, and it is incorporated under the laws of the State of Virginia. Under the federal law, when you sue for more than \$2,000 and such a corporation as the Southern Railway Company is party defendant, you are instantaneously put into the federal court, if the defendant files a petition asking to have the case transferred. For that very reason many a lawyer in the State of Indiana to-day is taking the chance of his case being reversed in the supreme court of Indiana, by making another person a nominal defendant, so that he may try the case in the state courts; taking the chances, I say, on being reversed in the supreme court.

Mr. OVERSTREET. Is the gentleman referring to damage suits?

Mr. COX of Indiana. Largely so.

Mr. OVERSTREET. Is it not a fact that under the federal law the United States aids poor plaintiffs in damage suits by subpoenaing and paying the witnesses, and that that assistance is denied them in the state courts?

Mr. COX of Indiana. That has not been my experience in the federal court.

Mr. OVERSTREET. So that if the gentleman has a damage suit against this kind of a corporation he is benefited by the existing law and would be interfered with by the proposed law?

Mr. COX of Indiana. Not as I view it. I have not found that to be the federal practice, that the United States in civil suits pays the witnesses' fees, traveling expenses, and so forth. Upon the contrary, I have found that the parties themselves had to procure the attendance of the witness. I think that is the practice in the federal courts to-day. I have been shown this courtesy in the federal courts, that I have been permitted to

prosecute a case on behalf of a plaintiff as a poor person, but that only goes to the extent that ordinarily obtains in our state practice, where the sheriff and clerk are compelled to do their duty without requiring their fees in advance.

Mr. OVERSTREET. If the gentleman will yield, I should like to quote from a letter addressed to me by the president of the State Bar Association.

Mr. COX of Indiana. I do not like to have that taken out of my time.

Mr. OVERSTREET. I am going to answer that question—that is, the question between us as to what the law is.

Mr. COX of Indiana. The gentleman can take it out of his own time. I object to his taking it out of my time.

Mr. OVERSTREET. It is a very pertinent question, and I should like to answer it.

Mr. COX of Indiana. In view of the fact that the State of Indiana has a large number of foreign corporations doing business in that State to-day, and in view of the fact that the last Congress passed a federal coemployees' liability bill, in my judgment will greatly increase the business in federal courts generally, including the federal court in my own State. In my judgment a suit brought under this bill in a state court will present a federal question, and if the amount involved is more than \$2,000 a removal will lie from the state court to the federal court, and thereby increase the litigation in the federal court. Looking at it from this view point we should consult the convenience of the people, and this bill is squarely in the interest of the people at large in the State of Indiana. I am therefore for it and hope it will pass.

[The time of Mr. Cox of Indiana having expired, by unanimous consent he was given leave to extend his remarks in the RECORD.]

Mr. JENKINS. I yield five minutes to my colleague on the Judiciary Committee, the gentleman from Indiana [Mr. FOSTER].

Mr. FOSTER of Indiana. Mr. Speaker, I regret that I have only just entered the Hall and that I did not hear the objections to this bill. It is distinctly in line with all legislation creating divisions of federal judicial districts in almost all the States. We have now in Indiana five places of holding the federal court, and the bill simply seeks to create around each one of the present places of holding court a division, and also adds as a place of holding court the city of Terre Haute, which is a large city, of over 50,000 population. Now, these divisions have aggregate populations running from 214,836 in the smallest up to 423,698 in the largest outside of Indianapolis. We still leave in the Indianapolis division a population of 980,196.

I want to call the attention of the House to these figures, because they show that there is in each of these districts to be created a population in excess of that in a number of individual States. There are some dozen States in this Union having no greater population than the divisions sought to be created by this bill.

I am living at Evansville, Ind., and so situated that if required to go to Indianapolis to try cases I must make a round trip of 364 miles. While it is true that we have a place of holding court at Evansville, it happens as a matter of practical application that very seldom is any court ever held in that city, although it is a city now of over 75,000 people, and in the proposed division surrounding it there were over 300,000 people, according to the census of 1900.

I do not care to take any position here reflecting upon the administration of justice in the State of Indiana in any way, but we know that with a centrally located point of doing business there is a tendency in the courts to prefer that point for the transaction of their business. We all know the feeling which accommodates itself to the personal convenience and comfort of any court who is trying cases, and it is not to be wondered at that frequently the trial of cases will take place in accordance with the personal comfort and convenience of the judge, and not that of litigants, even though it may be with the express consent of the litigants.

In Indiana there has been a great lessening of business in the last thirty years, and I think that can be accounted for on the ground of the extreme difficulty which litigants have, outside of the general neighborhood of Indianapolis, to get access to the federal court and have their cases tried.

Mr. OVERSTREET. Will the gentleman allow an interruption?

Mr. FOSTER of Indiana. Certainly.

Mr. OVERSTREET. Is it not true that the business has actually decreased in the central part of the State?

Mr. FOSTER of Indiana. The business in Indiana is less than it is in other States with a similar population, although

these States have the same statute system which the gentleman refers to. In my opinion, and it is my opinion only, the reason why there is so little business is the extreme difficulty of getting access to the federal court.

Mr. OVERSTREET. Would not that increase the business at Indianapolis?

Mr. FOSTER of Indiana. No.

Mr. OVERSTREET. Is it not a fact that the business at Indianapolis and the surrounding counties has decreased?

Mr. FOSTER of Indiana. I think not, although I am not familiar with the figures. I am satisfied that there is no such decrease in Indianapolis as there has been in other portions of the State, because it is almost all done at Indianapolis and in other portions of the State practically nothing.

Now, during this recess while at home a young fellow came to me and was talking about a fine that had been imposed upon him for some misdemeanor and to which he pleaded guilty. I presume the court in trying to give him as small a sentence as possible only fined him \$10, but the costs attendant on taking him from Evansville to Indianapolis amounted to about \$70.

The SPEAKER. The time of the gentleman has expired.

Mr. FOSTER of Indiana. I ask permission to extend my remarks in the Record.

The SPEAKER. The gentleman from Indiana asks permission to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. OVERSTREET. Mr. Speaker, I would like to inquire of the gentleman from Wisconsin how many more speeches are to be made in favor of the bill?

Mr. JENKINS. Only one, I will say to the gentleman.

Mr. OVERSTREET. I yield to my colleague [Mr. DIXON] two minutes.

Mr. DIXON. Mr. Speaker, I fail to understand the necessity of passing this bill, where a part or most of the argument in its support is that it will increase the litigation in that State. I think it is a matter of congratulation to the people of the State of Indiana that litigation has decreased in the last few years in the federal courts. As a matter of fact, in all cases where it is possible to try cases in the state courts our people very much prefer to try them there. The reports from the investigations that have been made show that the judge of the court, over his own signature, says that he is able to transact all the business in the federal court in the State of Indiana and have several months for leisure and recreation. In addition to that, this bill increases the expenses on account of holding additional grand juries in each of these districts. And an added reason for my opposition to this bill is the fact that almost certainly there will follow the passage of this bill an amendment in the Senate at this session, or the passage of another bill in the next Congress, providing for an additional judge of the federal court. When the present judge is compelled, if this bill passes, to go all over the districts remaining in these separate places, as required by this bill, he will soon become convinced that it is impossible to transact the business of the court at these respective places and remain for the length of time that this law designates, and the result will be that we will have another federal judge; and the people of the State of Indiana are satisfied with the number of federal officeholders in that State at this time. For that reason I shall vote against the passage of this bill. The happiness and prosperity of our people and the material development of the State are not dependent upon the amount of business transacted in the federal court. No present necessity existing for the passage of this bill, I hope the same will be defeated. There is no public demand for its passage.

Mr. OVERSTREET. I now yield two minutes to my colleague [Mr. LANDIS].

Mr. LANDIS. Mr. Speaker, the ground has been so admirably covered by my colleague [Mr. OVERSTREET] that I feel that nothing effective can be added in the way of opposition to this bill by anything that I might say. There is no demand for this legislation. The keynote to the entire situation is struck by my colleague [Mr. DIXON] when he states that litigation in Indiana is on the decrease, and it matters not how many United States court bills may be passed, they will not have the effect of perceptibly increasing litigation in that State. Not only in the federal court has litigation decreased, but in our state courts, in our circuit courts, has litigation decreased. In the county of White, immediately north of the county in which I live, three of the leading members of that bar—one of them at one time president of the State Bar Association—within the last six months have packed their books and office furniture and moved away, I believe one of them to Hammond, Ind., and

the other two to Chicago—simply because there was not any business in White County. There is very little law business in Carroll County or any other county in Indiana that has not a large city as its county seat. Litigation is on the decrease throughout the length and breadth of the State of Indiana, and while there might have been some excuse for another judge in Indiana some twenty to twenty-five years ago, there is no excuse for it to-day, and the object of this bill will become apparent when it returns from the Senate. I am not a lawyer. I do live on a farm, and I will say to my colleague, the gentleman who suggested my avocation when at home [Mr. CHANEY], that if this bill passes and this added expense is shouldered on the people he is likely to hear from the farmers when they go to the polls.

Mr. Speaker, without desiring to trespass upon the patience of the House, feeling that every phase of the question as represented by the opposition to this measure has been admirably presented, I am willing to leave the question to the judgment of those on this floor. There is no demand for this legislation save from a few lawyers who are interested. If this bill becomes a law, it will hamper and hinder litigation. It will work a hardship on those charged with violating the law. It will postpone rather than advance the trial of causes. It will entail a greater expense than would follow the creation of an additional district with an additional judge. The Department of Justice has recommended against it, and Judge Anderson, whose integrity I have never heard questioned, and whose eminent fairness on the bench is a matter of pride and congratulation in Indiana, would be put to an expense and inconvenience that would amount to little less than a hardship. I contend that no reason for the passage of this bill has been given, the responsibility for which does not rest with lawyers and litigants; and the fact that long terms of court are not now held at the points specified away from Indianapolis is due to the action of parties to the suits and not to the court. The passage of this bill would be little less than an outrage. There is no demand for it. There is no excuse for it. It is illogical, unwise, unfair, and indefensible. I can not believe that in the face of the showing that has been made this House will pass the bill.

Mr. OVERSTREET. Mr. Speaker, I shall say but just a word, merely for the benefit of those who may not have been present on the floor when I spoke against this measure a while ago. This bill is opposed by the district judge of the State, by the Attorney-General of the United States, by the president of the State Bar Association. It is not needed because of any lack of administration of the law; it is not needed because there is a decided decrease in the business of the federal courts. My colleague, Judge FOSTER, of Evansville, mentions the distance that must be traveled between Evansville and Indianapolis. He has some reason for his argument, and if this were to create a division of which Evansville were to be the center, I might have some difficulty in inducing the Members of this House to oppose the legislation, but it is an omnibus bill which takes in five other localities, none of which has the same argument advanced by my colleague, Judge FOSTER. If the failure of litigants, with their witnesses, to have justice administered at the federal court under existing practice was causing a decrease in the business, why has there not been a corresponding increase at the center, where the court is mostly now held? Gentlemen must admit that the decrease is general throughout the State, and as my colleague [Mr. LANDIS] has just stated, it is not alone in the federal court, but in the state courts as well. There can be no excuse for this House to-day to pass this bill. We have urged our opposition from every standpoint of the merits and demerits of the matter, and now I shall rest it with the vote of the House, confidently believing that the Members who have heard the debate will agree with those of us who oppose the legislation and defeat the bill.

Mr. Speaker, I now yield five minutes to my colleague [Mr. BARNHART].

Mr. BARNHART. Mr. Speaker, I live in the Thirteenth Indiana District, and I shall vote in opposition to this bill for three reasons; one, because I do not believe that the interests of the State demand these divisions of the federal court sessions and the incidental additional expense that is to be heaped upon the public. Another is that according to the provisions of this bill, so far as the district that I represent is concerned, it is objectionable, as the court therein will be held in the city of Hammond, which is located in the extreme northwest corner of the State, so remote from practically all of the counties of the district that it is less convenient to go to Hammond than it is to go to Indianapolis. There is another reason why I believe this bill should be defeated, and that is the one that has been advanced—that the purpose of it all is to get additional

judges. In Indiana there is a general protest against the increase of courts, and of public expenses generally.

Mr. HOLLIDAY. Will the gentleman yield for a question?

Mr. BARNHART. Yes, sir.

Mr. HOLLIDAY. I have heard it stated two or three times that the purpose of this bill is to get an additional judge. How is that understood? The friends of the bill are not asking for an additional judge or expecting one. How is that known?

Mr. BARNHART. It is surmised.

Mr. HOLLIDAY. Oh. The gentleman got that from the gentleman from the ninth district.

Mr. BARNHART. No; I heard it before I came here and before I was elected. It has been the talk in Indiana. Public rumor has it that there shall be an additional judge or two in the State of Indiana a little later, if this bill passes, and I do not believe that even the legal fraternity of the State is demanding anything of the kind. Court business in our State is decreasing, and court expenses should not increase.

Mr. LANDIS. I would like to ask the gentleman if it is not true that, if the judge of the court were around in these divisions holding court as specified in this bill, it would be necessary for some one to stay in Indianapolis to attend to the routine business. Is not that true?

Mr. BARNHART. Oh, I think so, and more than that, if the judge must travel about on the circuit, the one judge we now have would not usually be present where he is wanted, and as the federal litigation that mostly comes up in the counties throughout the State demands very prompt attention, being generally of an injunction or criminal nature, under those circumstances a court for my district, located at Hammond, would avail very little, because we would only have a session there, as I understand it, two months each year—one in May and the other in October. The bill in its present provisions would locate our northern Indiana district court so far remote from the center of the district that Indianapolis is almost as convenient, and a central court in almost continuous session there would be more advantageous to litigants and much less expensive to the public. [Applause.]

Mr. JENKINS. Mr. Speaker, I now yield ten minutes to the gentleman from Indiana [Mr. CHANEY].

Mr. CHANEY. Mr. Speaker, not only is it 364 miles from Evansville to Indianapolis in a round trip, but it is also 226 miles from New Albany to Indianapolis, and from Hammond it is 326 miles, and from Fort Wayne it is 236 miles. The distance for persons having business in United States courts is of itself of very great inconvenience. There is no reason in the world if the judge holding court at Indianapolis is able to take care of all the business that will come into the United States court at that place, why he should not also be able to handle all the business, although he should go to these various places and hold court. Now, I want to say in reference to this insinuation that the whole purpose of this bill is to create another judge for the Indiana jurisdiction of the federal court, that it is a thing only intimated by some persons in some newspaper or other, or from some person who is supposed to bring it in to oppose this bill. It is an incidental matter which has no relation to the question here at all. It is not in the bill. If the time should come in the future, as I would be delighted to know it should come, that it would be necessary for another judge to be appointed in Indiana, we should have it done; but there is no necessity for anticipation of it now, and I know of no possibility or probability of such a thing in many years to come. I believe Judge Anderson can take care of all the business that comes to the federal courts of Indiana, although he may be required to go to these various places to hold his court. Now we have the opposition from one more Member [Mr. BARNHART] from our State to-day than we supposed we had. We knew there were four Members of our delegation who were opposed to this proposition, but we understood the rest of them all favored it; but one thing we do know is that there is a demand for this legislation by the people of the State of Indiana.

It comes from Fort Wayne. It comes from the people surrounding Fort Wayne. It comes from Hammond; from the people who have access to the city of Hammond. It comes from New Albany and the environments of that city, and the people request that this bill pass. The opposition principally comes from Indianapolis. Now, there has been added to the places where the court is authorized by law to hold sessions the city of Terre Haute, to accommodate that city and the counties immediately adjacent to the city of Terre Haute. Terre Haute is an important railroad center. It is a great commercial center. It is so located that, while it is not so far from Indianapolis as these other places, the business centering in the city of Terre Haute has possibly as much litigation in the

United States court as Indianapolis itself has, and it would not be long until the division of the court held at Terre Haute would be one of the very important branches of the federal court in our State.

Mr. ADAIR. May I ask the gentleman a question?

Mr. CHANEY. Certainly.

Mr. ADAIR. The gentleman has said he does not believe the purpose of the bill is to create another federal judge. If this bill should pass the House and go over to the Senate and come back amended, providing for another federal judge, would the gentleman from Indiana vote in favor of that amendment?

Mr. CHANEY. I would oppose the amendment, but I have not the least fear that such an amendment will be made over there.

Mr. ADAIR. The gentleman would oppose it?

Mr. CHANEY. I would oppose it, but I have no fear that any such amendment is contemplated or any idea that any such amendment as that will be considered at the other end of this Capitol. I simply say, and desire to emphasize what has been said by my colleague [Mr. HOLLIDAY], that this is a proposition to give to the people of the State the convenience of a federal court. We are entitled to have divisions in the federal court in Indiana like the people of other States. There is no question but what a number of cases would have been brought in the United States court in the division in which Terre Haute is located if there were opportunity to try the cases at that city.

It is so at Hammond, it is so at Fort Wayne, it is so at Evansville, and it is so at New Albany.

Mr. BARNHART. Will the gentleman yield for a question?

Mr. CHANEY. Certainly.

Mr. BARNHART. What is the purpose of the bill in locating one of these courts at Hammond, a city half of which lies within the State of Illinois, and is bounded on the north by Lake Michigan, practically entirely out of the district for which it is intended to be used?

Mr. CHANEY. I will say to my colleague that it is one of the places now provided by law for holding the United States court, and we simply now want it made certain that the United States court will be held there.

Mr. BARNHART. Without any consideration for the convenience of the people in the northern part of the State?

Mr. CHANEY. For the convenience of the people. I want to say to the gentleman that the Pennsylvania Railroad runs in the right direction to carry the people up to Hammond.

Mr. BARNHART. The Pennsylvania Railroad does not cover all the northern side of Indiana.

Mr. CHANEY. The Monon Railroad runs that way.

Mr. BARNHART. That runs north and south.

Mr. CHANEY. It is positively an advantage also to have the United States court held in some convenient location with reference to lines between the States, because disputes arise between people in different States, and the questions involved are often such questions as the United States court ought to consider.

Mr. BARNHART. It would be much better, though, that the court be 20 miles from Hammond in Illinois, or have that court established midway in the State, east and west, would it not?

Mr. CHANEY. I should think the convenience of the people of Indiana, and even of Illinois, would be very much better subserved by having the sessions of the United States court held at that place. We simply want to make this bill complete what arrangements were originally made about holding the United States courts in certain places throughout the State. We have simply added to the places already fixed for holding court the city of Terre Haute, which has become not only a railroad center but a great commercial center. These business interests have become so great as to entitle the people who live in Terre Haute and who belong to the environments of Terre Haute to have a chance to go into the United States court to try their causes when it shall be to their interests to go there. I hope, indeed, that the membership of this House will vote to pass this bill, so that the people of the State of Indiana shall have the conveniences of the people of other States with respect to United States courts.

Mr. JENKINS. Mr. Speaker, now, under an arrangement perfectly satisfactory to the gentleman from Indiana [Mr. OVERSTREET], I ask for a vote.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken, and the Speaker announced that the Chair was in doubt.

Mr. JENKINS. I ask for a division, Mr. Speaker.

The House divided; and there were—ayes 23, noes 32.

Mr. CHANEY. Mr. Speaker, I demand tellers.

Tellers were refused.

So the House refused to order the bill to a third reading.

Mr. OVERSTREET. Mr. Speaker, I move that the bill be laid upon the table.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. FOSTER of Indiana. Division, Mr. Speaker.

The House divided; and there were—ayes 40, noes 21.

So the bill was ordered to be laid upon the table.

VESSELS SEIZED IN THE BERING SEA.

Mr. JENKINS. Mr. Speaker, by direction of the Committee on the Judiciary, I call up the bill S. 390.

The bill was read, as follows:

A bill (S. 390) to confer jurisdiction upon the circuit court of the United States for the ninth circuit to determine in equity the rights of American citizens under the award of the Bering Sea arbitration of Paris and to render judgment thereon.

Be it enacted, etc., That jurisdiction in equity is hereby conferred upon the circuit court of the United States for the ninth circuit to examine and determine the rights of American citizens under the award of the Paris arbitration concerning the jurisdiction of Bering Sea.

SEC. 2. That all American citizens whose rights were affected by said award may submit to the court their claims thereunder, and the court shall enter judgment thereon. Claims not submitted within two years from the passage of this act shall thereafter be forever barred.

The amendments recommended by the committee were read, as follows:

Strike out the words "in equity," in line 3.

Strike out the word "shall," in line 10, and substitute therefor the word "may."

Add at the end of line 10 the following: "Provided, however, That nothing in said award shall preclude the United States from interposing any defense which might be made if there were no such award or arbitration."

Amend the title by striking out the words "in equity."

Mr. MANN. Mr. Speaker, I make the point of order that this bill can not be called up on a call of the committees, and that it belongs to the Union Calendar, not subject to be called up on a call of the committees. The bill confers on the circuit court of the ninth district authority to examine and determine the right of American citizens under the award of the Paris arbitration concerning the jurisdiction of Bering Sea, which we know refers to the Bering Sea seal difficulties. Section 2 provides that all American citizens whose rights were affected by said award may submit to the court their claims thereunder, and the court may enter judgment thereon.

Now, it is conceded that under the existing law there is no liability on the part of the Government to these claimants. Under this bill the claimants will have authority to appear and file their claims in the circuit court of California and obtain judgment upon those claims. The obtaining of a judgment under such circumstances creates a liability against the Government. The rule, paragraph 3, Rule XXIII provides that certain propositions shall be considered in Committee of the Whole House, and says, including those, "all matters or propositions involving a tax or charge upon the people."

Now, giving to a court jurisdiction to enter judgment against the United States creates and involves a tax or charge upon the people, because when such a judgment is entered in the court against the United States that judgment must be met and paid. Hence, where claimants have no authority to obtain a judgment, no authority under the law to maintain their claims, under this bill they are given not merely authority to have their claims determined, but authority to have a judgment entered against the United States upon the claim. Further than that, the rule also provides that there shall be referred to the Committee of the Whole House on the state of the Union any bill referring any claim to the Court of Claims. While this bill in terms does not refer this claim to the Court of Claims, it refers these claims to the circuit court of the ninth circuit. In practice, in theory, in reason, there is no distinction between referring a claim to the Court of Claims, so called, in Washington, and referring that claim to a circuit court which acts as a court of claims. So that it seems to me under either provision of the rules the bill must be considered in the Committee of the Whole House. This is a reference practically to the Court of Claims of these claims and authorizes that court to enter a judgment upon the claims, which makes a charge upon the Treasury. It may be said that it is purely speculative as to whether any judgment will be entered upon these claims; and yet it is admitted by the Government that such claims exist; it is admitted by the Government that under the provisions of this bill there must be a judgment for some amount entered against the Gov-

ernment. These claims are for vessels seized by the Government. The Government claimed the right to seize them. Under this bill that right is denied. It accepts the Paris award as law, and judgment must be entered against the Government, which amounts to a tax upon the Treasury.

Mr. JENKINS. Now, Mr. Speaker, so far as this point of order is concerned, I am inclined to believe that this bill is properly upon the House Calendar, and that it can be considered under the call of committees. I disagree with the contention of the gentleman from Illinois, that if a judgment is entered in these cases it must be met. It does not follow that because any court of the United States renders a judgment against the United States that any subsequent Congress is bound to appropriate money sufficient to liquidate that judgment. So far as this bill is concerned there is absolutely no charge whatever upon the Treasury. It simply says to the court: You may try the case, you can hear the claimants, and if you are satisfied that they have a legal, meritorious claim against the United States that judgment shall be entered in their favor for the amount found. That does not create a charge on the Treasury.

Mr. MANN. Will the gentleman yield to me?

Mr. JENKINS. Certainly.

Mr. MANN. Does not the gentleman think that operates as a charge upon the Treasury? The language of the rule is not "create" but "involve."

Mr. JENKINS. I will say to the gentleman that it certainly does not involve a charge as yet, because it can not be a charge upon the Treasury until Congress has voted to pay the amount.

As far as the speculative suggestion is concerned, it is possible that the court may find against the claimants. Then it can not be a charge upon the Treasury. If the acts of these sealers were unlawful, then they have no standing in that court.

It is perfectly immaterial to me, as far as I am concerned. This question must have been carefully considered when the reference was made. It was referred to the House Calendar, and I think it was properly so referred.

The SPEAKER. The Chair notices the point of order made by the gentleman from Illinois [Mr. MANN]. Clause 3 of Rule XXIII provides—

All motions or propositions involving a tax or charge upon the people—

And so forth—

shall be first considered in a Committee of the Whole.

There have been many rulings under this clause of the rule. Where claims are referred to the Court of Claims in express language, they shall receive their first consideration in Committee of the Whole. This, however, as the gentleman from Illinois says, is not a reference to the Court of Claims, but is a reference to the circuit court. It is not necessary for the Chair to announce what the ruling might be if that were the only point of order, but the second point of order is that the bill provides—

And the court shall enter judgment thereon.

Now, under the precedents such a provision has, so far as the Chair has been able to find, been uniformly held to subject the proposed legislation, or the bill, to the operation of clause 3 of Rule XXIII, and requires the consideration of the same to be in Committee of the Whole House on the state of the Union. It is true, you may say, that Congress is not bound to appropriate, nor is Congress bound to appropriate for the public debt, or the interest on the same, or to pay any judgment. It is in the power of Congress to refuse to pay, but in the construction of the rule, so far as the Chair has been able to ascertain, it has never been assumed that Congress would resort to repudiation. Of course, the class of claims that are referred to the courts from time to time for investigation and report to Congress for its consideration present another question, but this provides for absolute adjustment, and therefore, in the opinion of the Chair, the point of order is well taken.

Mr. JENKINS. Mr. Speaker, the Committee on the Judiciary yields the floor.

The SPEAKER. The Clerk will call the next committee.

EMBASSIES, LEGATIONS, AND CONSULAR BUILDINGS ABROAD.

Mr. LOWDEN. Mr. Speaker, we have been under the call of committees for more than an hour, and as I understand the rule, it is permissible for me now to move to go into the Committee of the Whole House.

The SPEAKER. The Committee of the Whole House on the state of the Union?

Mr. LOWDEN. Yes.

The SPEAKER. Under the rule that motion is in order.

Mr. LOWDEN. By direction of the Committee on Foreign Affairs I move to go into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 21491) providing for the purchase or erection of embassies, legations, and consular buildings abroad.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of a bill the title of which the Clerk will report.

The Clerk read the title of the bill.

Mr. STEENERSON. I demand the regular order, Mr. Speaker.

The SPEAKER. This is the regular order, one hour having expired since the call of committees began. The motion is in order.

Mr. STEENERSON. I supposed the call of committees was in order.

The SPEAKER. We are under the order of the call of committees, but under the rule, having been under that order for sixty minutes, it is a matter of privilege for any gentleman to move to take up a bill on the Union Calendar. After this bill is disposed of, or if the committee refuses to adopt the motion of the gentleman from Illinois, the call of the committees will proceed; but if the House goes into Committee of the Whole on the state of the Union, then this bill would have to be disposed of by the Committee of the Whole House on the state of the Union before the call of committees would proceed further.

Mr. STEENERSON. Would it be in order to move to amend by continuing the call of committees?

The SPEAKER. One amendment under the rule is in order to take up another bill in lieu of this.

Mr. STEENERSON. On the Union Calendar?

The SPEAKER. Yes.

Mr. STEENERSON. My bill is not on the Union Calendar. It is on the House Calendar.

Mr. BARTHOLDT. Mr. Speaker, I should like to inquire what committee this bill came from?

The SPEAKER. The Committee on Foreign Affairs.

Mr. BARTHOLDT. Then I would like to inquire if that bill should not have been considered by the Committee on Public Buildings and Grounds. It provides for the erection of public buildings, not in this country, it is true, but public buildings belonging to the United States. I should like a ruling, Mr. Speaker, as to whether that bill has been properly reported from the Committee on Foreign Affairs.

Mr. LOWDEN. Mr. Speaker, the point raised by the gentleman from Missouri should have been made before the bill was reported out by the Committee on Foreign Affairs by raising the question of an improper reference. I claim that it can not be raised at this time.

Mr. MANN. I take it that whatever committee the bill should have been referred to it makes no difference now as long as it is a public bill. On a private bill a Member makes his own reference. The reference of a public bill is made by the Speaker and the reference is good unless the House sees fit to change it. The gentleman from Missouri had a right any morning to make a motion to discharge the Committee on Foreign Affairs and have that bill transferred to his committee.

The SPEAKER. The Chair will call the attention of the gentleman from Missouri to clause 22, rule 11, which provides:

To the public buildings and occupied or improved grounds of the United States, other than appropriations therefor, to the Committee on Public Buildings and Grounds.

If any morning after the reading of the Journal a motion had been made by the direction of the Committee on Public Buildings and Grounds to correct a reference under the rule, whatever the House might have done in such a case it is unnecessary to inquire. But here is a bill that seems to have been referred to the Committee on Foreign Affairs, and by that committee reported, and is now upon the Union Calendar, and being a public bill under the rule the Chair is of the opinion that when once reported from that committee it is too late to raise the question of jurisdiction. The rule is otherwise as to private bills.

The question was then taken on the motion of Mr. LOWDEN to go into Committee of the Whole, and on a division (demanded by Mr. LOWDEN) there were 30 ayes and 16 noes.

So the motion prevailed.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. LAWRENCE in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 21491) providing for the purchase or erection of embassy, legation, and consular buildings abroad.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of State be, and he is hereby, authorized to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the diplomatic and consular establishments of the United States, and to alter, repair, and furnish the said buildings, suitable buildings for this purpose to be either purchased or erected as to the Secretary of State may seem best, and all buildings so acquired for the diplomatic service shall be used both as the residences of diplomatic officers and for the offices of the diplomatic establishment: *Provided,* That hereafter not more than \$1,000,000 shall be appropriated for the purposes above set forth in any one fiscal year.

Sec. 2. That the sum of \$1,000,000 is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purchase, erection, repair, alteration, and furnishing of embassies, legations, and consulates, the said sum to be expended within the purposes of this act, at the discretion of the Secretary of State, not to exceed one-half thereof to be expended to secure consular and court buildings at Shanghai and Yokohama, and not to exceed one-half thereof to be expended to secure embassy buildings at Berlin and Mexico City.

Mr. LOWDEN. Mr. Chairman, I do not think it will be necessary to have a very full discussion of this bill at the present time, because at each session for a number of years there has been a very full presentation of the needs which this bill is intended to provide for. We are the only great country that so far has not embarked upon the policy of owning our own embassy and legation buildings in the principal capitals of the rest of the world. Every one of our ambassadors and ministers, so far as I am advised, has found that his service was greatly diminished in its value to this country because of the policy that we have so far pursued.

A number of bills have been introduced, and this bill is as simple and modest as any that has come before the House, and provides in general that at this time an appropriation of \$1,000,000 be made to make a beginning, and also it authorizes future construction, so that the Committee on Foreign Affairs or the Committee on Public Buildings, if the contention of my friend from Missouri is sustained, can incorporate not to exceed \$1,000,000 in each year for the purpose of having constructed embassies and legations without that provision in the diplomatic appropriation bill or the Committee on Public Buildings being subject to the point of order.

I reserve the balance of my time.

Mr. HARRISON. Mr. Chairman, as one of the minority members of the Committee on Foreign Affairs, I wish to add a few words to what the gentleman from Illinois has said about this bill. Our side of the committee is unanimous in support of the bill, and personally I have the strongest reasons for hoping that it will pass. It is, in some measure, the result of the discussion in the House last winter and several years previous to that, when the conduct of our foreign representatives was somewhat under fire. It is the general impression in the United States to-day that certain diplomatic posts are only within the reach of very rich men. One of the solutions of this trouble that is alleged to exist is the bill now before the committee. Gradually and modestly this bill proposes to acquire homes and residences for our foreign representatives. It will no longer be necessary for an American ambassador going abroad to scramble around and try to acquire an expensive residence in a foreign capital.

The Government should provide a residence for him and thereby remove the discrimination between men of different-sized purses going abroad to represent this country. Last winter a certain cause célèbre arose in one of the principal countries of Europe which I think could not have arisen had we at that time owned our embassy in the capital of that country. This bill will remove a great many disagreeable features now attendant upon taking a post abroad. It will put it within the power of any man, however humble his means, to represent our country worthily in any foreign capital. This bill does not ask for a very large appropriation. The Government should go at this matter gradually. We should not rush into the real estate markets of all the countries of the world and make wild bids for embassy buildings. We should go at it slowly, and it seems to me that this bill will accomplish that purpose.

I believe that the dignity of our country to-day requires that our representatives abroad should be properly housed. Until within very recent times the American people have not seemed to attach any very great importance, except in times of national crises, to the representation of our country abroad. We have been more interested in building up our own internal affairs than we have in our foreign service, but it seems that to-day we must take our place as one of the first of the world powers; and in order to do that, without any purpose of

aggrandizement or aggression, but merely to assert our proper place and dignity among the nations, it is fitting, in my opinion, that our country should house its representatives in a manner becoming the dignity of the United States. I hope the bill will pass.

Mr. BARTHOLDT rose.

The CHAIRMAN. The gentleman from Missouri.

Mr. COX of Indiana. Mr. Chairman, I would like to ask the gentleman from New York a question. I would like to ask whether or not the Government now pays any rent for the homes of our foreign representatives?

Mr. HARRISON. I believe the Government pays in some countries where it is very difficult to acquire a home.

Mr. COX of Indiana. Has the gentleman any idea about how much rent our Government pays annually for that purpose?

Mr. HARRISON. I do not recall how much it is. I have no doubt that the gentleman in charge of the bill can tell.

Mr. COX of Indiana. Has the gentleman any idea or any data to give the House how much this will eventually cost the Government of the United States, provided we embark upon this policy of purchasing homes?

Mr. HARRISON. We have no idea how much it will cost eventually, but at the rate of \$1,000,000 a year I think that four or five or six buildings a year can probably be acquired.

Mr. MADDEN. For how many years would the gentleman be in favor of having the million dollars appropriated each year?

Mr. HARRISON. Until we acquire an embassy, legation, or consular building in countries where our dignity requires it, and where it is impossible for our representatives to acquire a residence.

Mr. MADDEN. This does not place any limit on the number of years.

Mr. HARRISON. No.

Mr. HULL of Iowa. It does not place any limit on the cost of the building.

Mr. MADDEN. It does not place any limit on the number of places in which we are to acquire sites.

Mr. HARRISON. The limit is the discretion of the House each year when it comes to pass upon the appropriation.

Mr. MADDEN. Does it not leave it discretionary with the Secretary of State to decide?

Mr. HARRISON. Yes; but upon us rests the responsibility for appropriating the money.

Mr. MADDEN. This leaves it entirely discretionary with the Secretary of State?

Mr. HARRISON. No; on the contrary, our committee has selected the four sites for which we are now appropriating money.

Mr. MADDEN. Beyond that there is no selection made?

Mr. HARRISON. No; but I think that our committee or the Committee on Public Lands is sufficiently able to make the selection.

Mr. HULL of Iowa. I would like to ask in what part of the bill there is any limitation made as to the amount to be expended at any one place. I see that it is provided that this million dollars shall be at four places.

Mr. HARRISON. We have not attempted to limit the expenditure at any one place.

Mr. HULL of Iowa. Nor for any one building?

Mr. HARRISON. No; but for four buildings we have limited the cost.

Mr. HULL of Iowa. Does this limit it to these four places, the total cost not to exceed a million dollars?

Mr. HARRISON. Yes.

Mr. HULL of Iowa. I doubt that very much. A million dollars is appropriated to commence at four places, and that is all that could be used until further action by Congress.

Mr. HARRISON. Yes.

Mr. HULL of Iowa. But, in my judgment, they could use a million at any one of the places and then the next year come in for another place.

Mr. HARRISON. The gentleman has a very low opinion of the intelligence and discretion of the Secretary of State.

Mr. HULL of Iowa. Not at all; but I know when you authorize the commencement of four buildings that the Secretary of State or the Secretary of War or the Secretary of the Navy may not consider himself as limited in their total cost by the first appropriation. For instance, let us take the War College down here. That was begun when the present Secretary of State was Secretary of War, and I want to say of him that I regard him as one of the ablest of all our public men and one of the best, but as great a man as he, as great a lawyer and as great a public servant as he, when we appropriated \$400,000 for the War College, entered into plans that required us to ap-

propriate practically \$400,000 more. I do not know that he is to blame for it, but why would not the same rule apply in this case?

If you say we will give you a million dollars a year, it does not mean the million of dollars is to complete it all at the start, but if you want another million dollars the next year, give them another, and so on until completed.

Mr. HARRISON. The gentleman will pardon me, but I yielded for a question, and he has asked three or four questions. I am sorry that his experience with the War Department has been so unfortunate.

Mr. HULL of Iowa. That is the same with all the departments.

Mr. HARRISON. If the gentleman will examine the bill, he will see that each year Congress will say whether it will appropriate the money or not. We will give authority to the Secretary of State to expend the money; he is not to give us directions to do it.

Mr. HULL of Iowa. When the gentleman yields the floor—

Mr. BARTHOLDT. Mr. Chairman, a parliamentary inquiry. Did not the chairman recognize me?

The CHAIRMAN. The Chair has recognized the gentleman, but understood the gentleman yielded the floor to allow the gentleman from New York to ask a question. To whom does the gentleman from New York yield?

Mr. HARRISON. I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. I hope the gentleman will not take exception to the question, as he seemed to do to the question of the gentleman from Iowa.

Mr. HARRISON. The gentleman is very much mistaken in thinking I took exception to the question of the gentleman from Iowa.

Mr. MANN. I wondered whether he seriously believed that Congress can pass an act providing that there shall be appropriated not to exceed one million in any fiscal year hereafter for a certain purpose.

Mr. HARRISON. The limitation is upon the appropriation.

Mr. MANN. No; the limitation is upon Congress. It says that hereafter that not more than \$1,000,000 shall be appropriated for the purpose set forth, and so forth, and I wondered if the intelligence to which the gentleman referred had been applied to this thing, whether he believed we can say that the next Congress shall appropriate any more or less than a million dollars.

Mr. HARRISON. We can express our ideas as a legacy to the next Congress.

Mr. MANN. The gentleman admits that he has no reason for it, and that there is no limitation on the amount that might be appropriated under this bill.

Mr. HARRISON. I did not admit any such thing. The gentleman from Illinois is putting a statement in my mouth which I did not make.

Mr. MANN. Then I retract it, and I will ask the gentleman to state what his position is with reference to that provision in the bill.

Mr. PERKINS. If the gentleman will permit, I will attempt to explain—

Mr. HARRISON. The purpose of the organic law which this bill attempts to establish is that a point of order can not be raised by the gentleman or some other equally zealous public servant against such an appropriation in an annual appropriation bill up to the amount of a million dollars. Beyond that it does not attempt to limit anything.

Mr. MANN. The probabilities are this would not affect the point of order at all; this is an illegal provision.

Mr. MACON. The gentleman stated a moment ago in his remarks that his main reason for wanting this bill passed was that we had reached a point where we could not send any but rich representatives abroad.

Mr. HARRISON. No; the gentleman is mistaken. I said that was the general impression throughout the country; I did not say it was a fact, but that it is the general impression that this is true.

Mr. MACON. Now, if this bill becomes a law and we appropriate this money to build these residences for ambassadors or ministers abroad, does not the gentleman think that \$250,000 will get such a house that a poor man would not be able to live in?

Mr. HARRISON. In answer to the gentleman, I will say that we have considered that question and we believe the salary which is now given to our ambassadors is sufficient to enable them to dwell in any residence which we purchase for them under this language.

Mr. MACON. But a poor man could not live in a \$250,000 house.

Mr. HARRISON. We give him enough—

Mr. MACON. Is it not a fact that the committee purposes to erect houses that only millionaires or rich representatives can live in?

Mr. HARRISON. It is not a fact; the gentleman is mistaken. It is a fact we intend to erect only such residences as our representatives should live in suitable to their position and dignity on the allowances and salary given them by this Government.

Mr. MACON. Where have we a representative, except the President of the United States, who is to-day living in a \$250,000 house in the United States?

Mr. HARRISON. Well, I think if the gentleman would cast his eye around he might find several of them in Washington.

Mr. MACON. I do not know any of them.

Mr. HARRISON. I will not enter into a controversy with the gentleman on that point.

Mr. MACON. Does not the gentleman believe that if our representatives here can live in houses of less consequence than those we purchase for \$250,000, we can afford to let our representatives to Shanghai, China, live in a house that will cost less than that?

Mr. HARRISON. I am glad the gentleman has brought out the point of China. The people of China frequently estimate the value of representatives of other powers entirely with their eyes. The representatives of our country over there, having been wretchedly housed, have less influence there for that very reason than they should have and the dignity of this country entitles them to. China is one of the particular countries where we should house our representatives properly in order to create an impression upon the Chinese people that will enable us to have a proper standing with them. And that is one of the cases for which we propose to appropriate now.

Mr. MACON. Does the gentleman believe that it is best and wise to cultivate a class of people that are not able to judge any country except through their eyes?

Mr. HARRISON. I believe the gentleman will agree with me that if those people are so unfortunate as to form their judgment solely through their eyes, we had better go ahead and meet the conditions as they exist.

Mr. MACON. Does not the gentleman think it would be a wiser policy to appropriate this in order to have a missionary sent to China or some other place?

Mr. HARRISON. I am unaware that there is any such project before this House.

Mr. GAINES of Tennessee. I want to ask the gentleman a question or two. I will state that I am very much in favor of erecting buildings in Washington City in order to take care of the public business. But who is to select these sites, who is to investigate the titles, and is the property to be bought and no report made to Congress before it is bought?

Mr. HARRISON. The presentation of the question is to be made by the committee of the Congress that asks for the appropriation. Suggestions are originally to be made by the Secretary of State to that committee, whether it will be the Committee on Foreign Affairs or on Public Buildings.

Mr. GAINES of Tennessee. Who is to select the sites?

Mr. HARRISON. The persons who are best equipped to do it, namely, our representatives abroad.

Mr. GAINES of Tennessee. Are you going to make that selection finally without report to Congress?

Mr. HARRISON. No, sir; we are not.

Mr. GAINES of Tennessee. Are you going to investigate the title before buying the land?

Mr. HARRISON. The Secretary of State will do that.

Mr. GAINES of Tennessee. Are they going to report that back to Congress before it is made final?

Mr. HARRISON. No. I do not see why it should be reported, either.

Mr. GAINES of Tennessee. To what committee?

Mr. HARRISON. Probably the Committee on Foreign Affairs.

Mr. GAINES of Tennessee. Does this bill provide that the Foreign Affairs Committee shall be the building committee?

Mr. HARRISON. For foreign affairs.

Mr. GAINES of Tennessee. Does the gentleman think a matter of that importance should not be viewed by any other committee of the House?

Mr. HARRISON. I hope the gentleman does not wish to suggest that the Foreign Affairs Committee is not capable of handling subjects of this importance.

Mr. GAINES of Tennessee. I quite agree that that committee is a committee of intelligence and that every committee of this House is a committee of intelligence, and I am sure the members of the Public Buildings Committee know more about public buildings and the value of them than I do. What experience has the gentleman had in buying lots of this kind or building houses? Has the gentleman ever bought or built one in this country?

Mr. HARRISON. Yes, sir.

Mr. GAINES of Tennessee. The gentleman has had experience in this and the old country, I presume, and I do not say this facetiously at all. Now, Mr. Speaker, if I could be recognized for three or four minutes, I would like it.

The SPEAKER pro tempore. The Chair has recognized the gentleman from Missouri [Mr. BARTHOLDT.]

Mr. BARTHOLDT. Mr. Chairman, lest the purpose of the parliamentary inquiry I submitted to the Speaker a little while ago may be misunderstood, I desire to state to the House that I am heartily in favor of the purpose of this bill. As one who travels abroad once in a while, I am deeply impressed with the necessity of this country maintaining its own embassy buildings in foreign countries. Many a time, Mr. Chairman, as an American citizen, I felt humiliated when I was compelled to climb up two, three, and four flights of stairs for the purpose of reaching the American minister or consul in foreign countries. I am sure every Member of this House who is proud of his country would feel exactly the same way. I think it is time that this country should do what other smaller and poorer countries have done long before us, namely, to erect buildings for our foreign representatives. But when I say that I am in favor of the purpose of this bill, I can not say that I am in favor of this particular bill. I do not know, as I have had but a few minutes to examine it, what the exact effect of it will be.

When we frame a bill in the Committee on Public Buildings and Grounds we always provide a limit of cost and always authorize an appropriation for a specific purpose. Not one of these conditions is complied with in this bill. In other words, it seems to me that if this bill became law as it reads now, it would simply transfer an authority which should be exercised by the legislative branch of this Government to the executive branch, leaving it entirely to the discretion of the Secretary of State as to what buildings should be erected and at what cost.

These points should be discussed here by the Members of this House and carefully considered by the committee which has charge of matters of this kind.

Mr. HARRISON. Will the gentleman permit me to ask him a question?

Mr. BARTHOLDT. Certainly.

Mr. HARRISON. The gentleman, I think, stated that the executive branch of this Government would be authorized to make these appropriations—

Mr. BARTHOLDT. No.

Mr. HARRISON (continuing). To acquire these sites only so far as Congress authorized it each year, and never more than \$1,000,000 unless Congress desires.

Mr. BARTHOLDT. That simply means that the Secretary of State would send a statement to the Committee on Appropriations that so and so much is necessary for such and such a purpose; and under this bill the Committee on Appropriations has no discretion to say to the Secretary that either the purpose or the amount of an appropriation is contrary to their opinion. Consequently, in a way, you transfer authority now exercised by this House, and which ought to be exercised by this House, to an executive department.

Mr. HARRISON. Will the gentleman tell me who he thinks is better qualified to make recommendations, and if he does not think this is sufficiently guarded when it provides that the Secretary of State may only acquire such sites as may have been appropriated for by Congress each year?

Mr. BARTHOLDT. I answer that, merely judging by past experience, in many instances where this same procedure was followed by the House, namely, when a statement from an executive department came to the Committee on Appropriations relating to building matters, mistakes have been made. That committee is overwhelmed with business and has neither the necessary time nor the necessary detailed knowledge of building matters, hence in many instances grave mistakes have been made because the committee which should have had charge of such legislation has been ignored. Therefore I shall always insist, and I insist now, that this bill should have been referred to the Committee on Public Buildings and Grounds; but since this objection comes too late, I waive that point. I admit that the point should have been made before this time. It should have been made in the form of a motion by the committee to refer

this bill to the committee of which I have the honor to be a member.

Mr. MANN. Will the gentleman allow me to ask him a question?

Mr. BARTHOLDT. Yes, sir.

Mr. MANN. No one in the House has had the experience of the gentleman in regard to public buildings. What, in the opinion of the gentleman, would be the effect, if we started to build public buildings in the United States, simply to appropriate a lump sum, to be expended at the discretion of some officer? Would the result be extravagance or economy?

Mr. BARTHOLDT. The result, in my judgment, would be greater extravagance in the service than we have had heretofore.

Mr. MANN. Well, if we should adopt the practice of appropriating a lump sum, to be expended nominally, in the terms of the bill, by the Secretary of State, but really by one of the clerks in that department, what would be the effect in that expenditure? Would the result be extravagance or economy?

Mr. BARTHOLDT. In answer to that question I am glad to say that I have the highest respect for the good judgment and the integrity of the gentleman, whoever he may be, now or in the future, that occupies the dignified position of Secretary of State.

I would be willing to trust his judgment in many matters, but when it comes to the appropriation of money for public buildings it seems to me Congress itself should exercise its constitutional right not only of determining the objects for which the money is appropriated, but also of limiting the cost for each particular purpose; and that condition, as I said before, has not been complied with in this bill. I repeat that there is probably no gentleman connected with any branch of the Government who is more competent to judge of the needs of this service than the Secretary of State, and he could give valuable advice to the Committee on Appropriations, or to the Committee on Foreign Affairs, or to the Committee on Public Buildings and Grounds on this subject. Certainly his recommendations would be heeded, I am sure, by either of those committees; but I say the matter should be kept within the power and jurisdiction of this House, and should not be handed over to any executive department or any official, no matter how great and dignified he may be.

Mr. TAWNEY. I have not read the bill, but is the gentleman certain that the estimates for these buildings would be referred to the Committee on Appropriations? Would they not go to the Committee on Foreign Affairs, that has control and jurisdiction of matters relating to embassies, legations, and consulates?

Mr. MANN. They would go to the Committee on Foreign Affairs.

Mr. BARTHOLDT. That would make the matter more objectionable, if that should be so. [Laughter.]

Mr. PERKINS. Mr. Chairman, this bill is a measure of some importance, and I think it is somewhat misunderstood by my friend from Missouri [Mr. BARTHOLDT]. I shall therefore ask the attention of the House very briefly to a measure which I believe will receive the support of a large majority of this House, if it is properly understood.

We plan two things: First, that it shall be the policy of this Government to own in foreign countries proper buildings for the housing of its diplomatic and consular officials. This bill does not provide for that. It appropriates simply \$1,000,000. If Congress does not desire in the future to appropriate another cent, not another cent can ever be spent for this purpose. If this bill is passed, the Secretary of State will be authorized to expend \$1,000,000; that, and that alone. But, Mr. Chairman, it is the belief of the committee reporting this bill, and I think it is the belief of the House of Representatives, that the policy, which we thus undertake may be profitably followed. We desire two things; one, as has been well said by my friend from Missouri [Mr. BARTHOLDT], that the ministers and ambassadors of the United States shall be properly housed in a way that is fitting the dignity of the nation we represent. There is another thing of no less importance. This bill provides that the money appropriated shall be spent, one-half in the purchase of embassies and one-half in the purchase of consular buildings in the East. If we wish our trade to extend, as was well stated by my friend from New York [Mr. HARRISON], if we wish the open door in China and Japan to be of any value, if we wish the trade of the United States to enter the greatest market which the world can now show not already taken possession of, then it is necessary that our representatives shall find in the East what they can not find except by our appropriations, proper buildings in which they may do the work; buildings, as was well said by the gentleman from New York, which any native of the East, any Japanese or Chinaman, may feel, when he looks at them, represent the power of the nation behind the official.

In some remarks which I had the honor to make before this House a year ago I had here photographs which I wish I had to-day, in which were exhibited, side by side, in the city of Shanghai, one of the great centers of Chinese trade, the little broken-down house in which the representative of the United States of America had to be found by any Chinese merchant who had business to do with this country, who wished to have his invoiced property certified, and the building which the German Government—not a government which wastes its money—in the interest of the extension of German trade in the East, had provided for the use of its representatives there. I said then what I can say now: Is it strange that with that object lesson picturing side by side the attention given by two great governments to the means by which their trade may be developed, the fact exists, which we all know and regret, that the trade of Germany has increased in China with greater rapidity than the trade of the United States?

Now one word about the form of this bill. My friend from Missouri may be right, I hope he is wrong, in thinking that even worse results will come if the choice of these buildings is left to the Committee on Foreign Affairs than to the Committee on Appropriations, but I know that he is wrong in his understanding of the bill. There is here no appropriation and no legislation by which the Secretary of State can involve this Government to the tune of one dollar except the million dollars which we appropriate to-day. If we pass any legislation in the future it will be reported, I think, from the Committee on Foreign Affairs, which my friend seems to distrust, and if any appropriation is made it will regulate the manner in which the money shall be expended.

It will say, for instance, next year, assuming that to be the judgment of the House of Representatives, that we appropriate \$1,000,000, and in that million dollars three hundred and fifty thousand shall be spent in the purchase of a building which is offered for sale to this Government in the city of Paris. It will say that of the sum appropriated two or three hundred thousand dollars shall be used specifically as provided for in another bill on the calendar of the House, a bill the place of which is taken by this bill, for the purchase of certain consular buildings in certain specified places in Japan and China. In reference to each and every purchase the House of Representatives can, the House of Representatives should, and the House of Representatives will say how much shall be expended and where it shall be expended. Do we not say so in this bill? Has my friend from Missouri any doubt as to where the money would go?

Mr. SHERLEY. Will the gentleman yield for an interruption?

Mr. PERKINS. I will.

Mr. SHERLEY. Does the gentleman consider that the language in this bill would authorize the carrying in the diplomatic appropriation bill of items for the purchase of embassies abroad?

Mr. PERKINS. If those items were approved by a majority of the House of Representatives, yes. If they were disapproved by the House of Representatives, no. Just like any other bill; like appropriations in the bills in the committee of which my friend is a member.

Mr. SHERLEY. Will the gentleman tell the House whether it would be possible on an appropriation bill, the diplomatic appropriation bill, to do anything other than designate the amount of money and to limit the expenditure? Could you affirmatively legislate as to how the money was to be expended?

Mr. PERKINS. Surely. The legislative appropriation bill provides that there shall be paid to the ambassador at Berlin the sum of \$17,500. Under that authority that money is paid to him, and it can be paid in no other way and to no other person, nor can it be paid without that authority. In precisely the same way, with the same legal effect, with the same express language, the bill would say the Secretary of State was authorized to expend for an embassy at Berlin for the Government of the United States the sum of \$300,000.

Mr. SHERLEY. Yes; but just a step further. Would you be able to designate the character of the building or to do anything other than to limit the amount and then to say that no greater sum than a given one should be expended for an embassy? Could you go into the details of affirmative legislation?

Mr. PERKINS. Of course my friend from Kentucky, able lawyer that he is, will know in one minute, if he considers, that Congress can make any restrictions on expenditures it sees fit. It can say in the bill that the Secretary of State is authorized to expend \$300,000 for the purchase of a building that stands at the corner of Unter den Linden avenue—

Mr. MANN. But it will be subject to a point of order just the same, under this bill.

Mr. PERKINS. That may be.

Mr. SHERLEY. Oh, but the gentleman does not want to ignore the fact that the whole point of my inquiry was whether you could, under the rules of the House, on a diplomatic appropriation bill provide affirmatively restrictions on expenditures.

Mr. PERKINS. We can provide for expenditures and for any restrictions—

Mr. SHERLEY. That does not follow. The gentleman is aware that on an appropriation bill you can not create law. You can carry out the purpose of what is already law.

Mr. PERKINS. Precisely, and this bill authorizes by law the purchase of certain buildings to be used for certain purposes. So we have the general authority, and having the general authority—just as Congress has the general authority to appropriate money for ambassadors and ministers—having the general authority, Congress, not subject to a point of order, can say that there shall be paid to the ambassador at Berlin so much and to the ambassador at Paris so much, and having the general authority of appropriating not only for the salary, not only for the clerk hire, but for the roof that shall cover the head of the minister at Berlin and the minister at Paris, it can provide the details of the roof in the same way that it provides for the details of the clerk hire and the salary allowance.

Mr. MANN. Does the gentleman think—

Mr. PERKINS. Allow me just one word, and then I will yield. This bill has not been drawn with any desire to abrogate the prerogatives of Congress and turn them over to clerks in departments or heads of departments. We have said that—

not to exceed one-half of this money shall be expended at Shanghai and Yokohama and not to exceed one-half shall be expended at Berlin and Mexico.

We knew what we were doing. The need of a building at Shanghai for our consuls, for our courts, for the purposes of our Government is a crying shame. We were offered buildings for this purpose that we could have obtained three years ago for \$250,000 or \$350,000. We did not buy them, because we had no authority and this Congress would not give it. They were taken by another and more sagacious government, and to-day we will have to pay \$100,000 more to get the same results. We have in our minds just what will be done in Yokohama and in Shanghai. We had in our mind a building at Berlin, and is there any man in this House or in the United States who, in view of the unfortunate diplomatic incident of last year, does not think with regret, if not with a stronger feeling, that the time has been reached when the Government of these United States in the city of Berlin shall have its minister alike properly chosen and properly housed?

Mr. MANN. Then why did the committee change its mind as to the amount for Shanghai between February 27 and April 1?

Mr. PERKINS. Because the committee saw fit to do it. Even the committees of which my friend is a member sometimes change their minds.

Mr. MANN. Without any new information at all?

Mr. PERKINS. Oh, we had more information than my friend thinks.

Mr. SHERLEY. I would like to ask the gentleman from New York a question. The gentleman makes an argument as to this bill being particular in its expenditures, but he realizes, of course, that this bill, coming into this House under the conditions that it did come in, is not subject to the same rules that a general appropriation bill is.

Mr. PERKINS. I know that very well.

Mr. SHERLEY. I am in hearty sympathy with what the gentleman desires to accomplish. More than three years ago I took that position on this floor, but I want to call the attention of the committee to this fact, that under the provisions of this bill as drawn the only control that you would have over the expenditure of the money would be to determine whether or not you would make an appropriation, and to further determine in a negative way—never in an affirmative way—in the way of a limitation, that not more than such a sum should be expended, but you could not, under the parliamentary practice of this House on the diplomatic appropriation bill, without being subject to a point of order, affirmatively legislate as to the details of the expenditure. Now, whether the committee wants to pass a law in that shape is a matter to be considered, but that that is the legal effect of it I think the gentleman himself must admit.

Mr. PERKINS. Mr. Chairman, I will only say that what we have to do to-day is, if the House sees fit, appropriate a mil-

lion dollars for the purposes stated in this bill. When future bills come in, if they do, when future appropriations are asked, if they are asked, they will be disposed of by the rules of the House and by the wisdom of the Members of the House.

Mr. MANN. The gentleman does not intend to strike out section 1, does he?

Mr. PERKINS. No.

Mr. MANN. Then, we are doing a good deal more than appropriating \$1,000,000.

Mr. PERKINS. I will say just one word more as bearing on this question. In my belief, and it is obtained by a good deal of study of the requirements, alike of our embassies and consular buildings, the entire amount which the Congress of the United States will ever be asked to expend for the proper housing—for all the housing that is required for our ambassadors in the great cities—of our consuls in the eastern portions of the world, will not cost as much as we have expended—I do not say but that we have wisely expended—for the two buildings erected for the use of the House and the Senate, and I think they will be quite as useful.

Mr. MANN. Now that the House is to lose the benefit of the guiding genius of the gentleman from Iowa [Mr. COUSINS] and the gentleman from Indiana [Mr. LANDIS] in foreign affairs and accept with great pleasure the influence of the gentleman from New York [Mr. PERKINS], I think we are entitled to know something about the bill. The first section of this bill, I take it, is designed wholly for the purpose of hanging appropriations on in the future—using the word "hanging" with respect.

Mr. PERKINS. That probably is the object, as I understand it.

Mr. MANN. Now, it provides—

That the Secretary of State be, and he is hereby, authorized to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the diplomatic and consular establishments of the United States.

That is the enabling clause of the bill.

Mr. PERKINS. He can do that when the appropriation is made.

Mr. MANN. An appropriation can only be made for acquiring sites and buildings for the use of the diplomatic and consular establishments. Anything more in the appropriation than so much appropriated for a particular site is subject to a point of order under the rules of the House.

Mr. PERKINS. Then, I know full well that whenever it is proper the point of order should be interposed my friend from Illinois [Mr. MANN] will be ready to interpose it.

Mr. MANN. Yes; the "gentleman from Illinois" I hope will be glad to interpose it when it is proper; but perhaps some gentleman in the House or even the "gentleman from Illinois" might interpose when it be not proper, and thereupon the restriction goes out, and then there is left in only the appropriation without the restriction as suggested by the gentleman from Kentucky. Is not that the effect under this bill?

Mr. PERKINS. That is a question we will have to discuss when it arises, but that does not arise to-day.

Mr. MANN. It has arisen to-day. The question now is whether we will give authority to the Committee on Foreign Affairs to bring into the House an appropriation bill appropriating \$1,000,000 for the purchase of sites at some places where it chooses to select, and that that be in order. That is the question before the House now.

Mr. PERKINS. Let me ask my friend from Illinois if in these days of congressional depreciation from high sources he is going to say that it is his belief that a majority of this Congress would authorize an appropriation which it should not authorize, and say it should not therefore have any opportunity so to do?

Mr. MANN. Well, upon that question, when I think that as great a committee as the Committee on Foreign Affairs seriously brings into the House a bill providing that future Congresses can not appropriate money, I am at a loss to understand how far they could not do anything that is nonsensical.

Mr. PERKINS. That does not bind any Congress.

Mr. MANN. Certainly it purports to bind, when everyone in the House knows that we can not bind a future Congress, and when such a committee will do a thing like that I think they are liable to do other things as well.

Mr. PERKINS. It expresses the policy of the committee, and of course it is unnecessary to say to my friend from Illinois, even the rest of us know, that no Congress can bind any future Congress. That is known in New York as well as in Illinois.

Mr. MANN. But not known to the Committee on Foreign Affairs.

Mr. STAFFORD. Will the gentleman inform the House whether the Committee on Foreign Affairs has received any other information of pressing instances where there is need of consular buildings other than those at Shanghai and Yokohama?

Mr. PERKINS. Yes; at least 16 or 17 other places in China, Japan, and Korea are all pressing.

Mr. STAFFORD. Has the committee any estimate as to the amount of money that will be needed for buildings to be used for the housing of consular officers?

Mr. PERKINS. We reported a bill which is on the calendar now—which I would be very glad for this House to pass, but we shall not call up for passage—making appropriations for the urgent needs, I think all the important needs in China, Japan, and Korea, a bill which I reported myself with the advice and after consultation with the State Department, and the entire amount of the appropriation, if I remember aright, was about \$1,300,000, of which one-third goes to Shanghai alone.

Mr. STAFFORD. That, as I understand it, is entirely limited to consular buildings, and not for residences for ambassadors.

Mr. PERKINS. To consular buildings entirely.

Mr. STAFFORD. Are there any instances other than China, Japan, and Korea where there is pressing need for consular buildings such as those to which the gentleman has referred?

Mr. PERKINS. I think not; not that I know of.

Mr. BARTHOLDT. Mr. Chairman, if the gentleman will yield to me for a minute—

Mr. PERKINS. I yield to the gentleman from Missouri.

Mr. BARTHOLDT. The gentleman from New York has referred to me because of a jocular remark I made a while ago.

Mr. PERKINS. I spoke in a jocular way also.

Mr. BARTHOLDT. I hope the gentleman will acquit me of any intention to reflect upon him or his great committee or of drawing any invidious distinction between his committee and the Committee on Appropriations. I merely contended for the rights of the Committee on Public Buildings and Grounds, Mr. Chairman. I will say frankly that if this bill would provide, such as no doubt it would provide had it been reported from the Committee on Public Buildings and Grounds, that \$1,000,000—

Mr. PERKINS. A committee for which I have the highest respect.

Mr. BARTHOLDT. I thank you. That \$1,000,000 should be appropriated for the purpose of acquiring sites in the city of Berlin, the cities of Yokohama and Shanghai, and the City of Mexico, and that the Secretary of State be authorized to enter into negotiations for the purpose of purchasing sites for future buildings to be erected or for the acquisition of buildings already erected, I would have been in favor of this bill, providing the total should not exceed, say, \$1,000,000, but as the bill reads now, it is too indefinite; and while I am heartily in favor of its purport, I can not persuade myself to support the bill in its present form.

Mr. HULL of Iowa. Mr. Chairman, I simply desire to call the attention of the gentleman from New York [Mr. HARRISON], who was kind enough to yield to me for a question and then unkind enough to suggest that I put in more than one question, to the fact that I am not reflecting on the executive officers of the Government when I say that if you pass this bill there is no limitation upon the cost of these buildings. I want to call the attention of the committee to the first section of the bill, which virtually declares that this is a continuing appropriation of a million dollars a year, at least, if the Congresses coming after us shall ratify it. We know that they may make it ten millions if they want to, or they need not appropriate over \$700,000 if they so desire, but the very fact that this bill itself provides that they shall appropriate a million dollars a year, and then in the second section provides that four places shall be taken, one-half of this million dollars appropriated by this bill to be given to Shanghai and Yokohama, and one-half to the buildings at Berlin and Mexico City—the very fact that it only limits the expense for this year for these buildings to this \$1,000,000 hereby appropriated—would absolutely justify the executive officers in going ahead and spending one-half of this million dollars at these two places and the other half at the other two places, and creating as large a deficiency as in their judgment would be necessary to give the proper buildings to the United States. In other words, the bill does not limit the cost ultimately in any particular.

Mr. HARRISON. Does the gentleman yield?

Mr. HULL of Iowa. Certainly.

Mr. HARRISON. Does the gentleman understand the danger, on the other side, of fixing the specific sum of \$250,000 for the building in Berlin? If the real-estate owners knew there was that much to be spent, do you suppose we could ever buy a building cheaper?

Mr. HULL of Iowa. Mr. Chairman, there is nothing in that argument, because you could say, "not exceeding so much;" but this provides for two consular places at \$500,000 and for two of the great embassies of the country only \$500,000, and I submit to the Members of this House that the very language of the bill carries with it the thought that it is impossible to build two embassies—for Berlin and City of Mexico, respectively—at the same cost that you build the consular offices at the other two places. There is a difference in the cost, the rank, and the demand of the two positions. I wished to say this much because I did not desire to be put in a position of reflecting on the executive officers of the country, or especially the present Secretary of State, or the man I understand is to be Secretary of State in the next administration.

They would be justified in spending \$500,000 in two places, \$500,000 more in two other places, and then coming to Congress with the statement that it would require so much more to complete those buildings. I am not opposed to the principle that we should erect these buildings for our ministers and ambassadors in the various countries and at the leading consular places. I believe in that, but I believe that before entering upon it the plan should be well prepared and thoroughly digested. In my judgment, the committee could not have gotten up a bill more loosely drawn and fuller of loopholes, with all respect to the committee, than the one they have presented to this House. There is absolutely no restriction in it except in one point, and that is to try and bind future Congresses not to go beyond a million dollars a year, and the committee admits that this was absolute folly.

Mr. LOWDEN. I beg the gentleman's pardon. The committee does not attempt that at all. The fact is, as everyone knows who has listened to the debate, that that first paragraph is necessary if you are going to have any authority to make an appropriation that will not be subject to a point of order and that is limited by a million dollars a year. A point of order would be perfectly proper if more than a million dollars were appropriated and this bill became a law.

Mr. HULL of Iowa. If my friend, the gentleman from Illinois [Mr. LOWDEN], will pardon me, it strikes me that we could lay the foundations for this entire continuing work by providing, as the first part of the section, for the Secretary of State to enter into negotiations for the purpose of securing embassies and consular homes at the different places without saying anything about the amount each year. Then follow with, "and for the purposes of this act a million dollars is hereby appropriated; have specific amounts, and you have authorized the contract to be entered into and made it possible for the Congress of the United States to pass upon each one of them."

I never would appropriate one single dollar for any embassy or consular building if we did not provide something specific as to the limit of cost; and you are not making such a provision here. Let them buy the site, as suggested by the gentleman from Missouri [Mr. BARTHOLDT], then we can make our own plans for the building; and when you have got the grounds on which to erect them we can go to the limit of cost, and make it not only one million but ten millions if we desire.

Mr. LONGWORTH. Will the gentleman yield to me for a moment?

Mr. HULL of Iowa. Certainly.

Mr. LONGWORTH. The gentleman realizes, of course, that in most of the European capitals there are no vacant lots which can be bought for this purpose, and therefore there must be authority to acquire the lot whether it has a building on it or not; and we can not afford to delay taking advantage of opportunities that may come because we are not able to buy land without a building on it.

Mr. HULL of Iowa. But, Mr. Chairman, the gentleman, if he will look at the bill, will find that it is only to buy a lot or any building in the four places mentioned in this bill.

Mr. LONGWORTH. Not at all.

Mr. HULL of Iowa. If it provided for the purchase of sites, making an appropriation for the purchase of sites, and leaving it to the Secretary of State, the whole matter could be worked out by a committee, maybe by his committee, if it is the proper committee, and I am inclined to think it is.

Mr. LONGWORTH. Does the gentleman refer to the Committee on Ways and Means? I have not the honor of being a member of it.

Mr. HULL of Iowa. I refer to the Committee on Foreign Affairs. You formerly were a member of that committee, and the committee lost enormously when you left it. [Laughter and applause.]

Mr. LONGWORTH. I thank the gentleman.

Mr. HULL of Iowa. Now, Mr. Chairman, it seems to me very little harm can come from letting this matter rest until it can be thoroughly digested and fully debated by this House. It was taken up this afternoon when but few Members were present or believed that such a measure would come up. The result of it, if it is put through in its present form, will be, I think, a disappointment to the gentlemen who desire to accomplish this purpose. I think this country will in the near future commence with this arrangement of putting our foreign service on a dignified basis by which our representatives will be as well housed and cared for as those from any other country. The pay of our foreign representatives is less than that of other countries, and they are entitled to homes furnished by the Government. But I am not in favor of going into the matter in such way as will be a disappointment and lead to future trouble in Congress when these appropriations shall come up.

Now I yield to the gentleman from California.

Mr. KAHN. Does the gentleman not know that in the large capitals of Europe it is practically impossible to get a site in a suitable location, and is it not the purpose of the State Department to purchase buildings that are already constructed, and alter and repair them so as to make them suitable for the purpose that is intended?

Mr. HULL of Iowa. Well, it does not seem to be so here in the bill.

Mr. KAHN. Well, is not the language of the first section of the bill intended to cover that very point?

Mr. HULL of Iowa. The language of the first section of the bill does not cover anything very much except a limitation upon the next Congress. The language of the second section is specific.

Mr. KAHN. The first section authorizes the Secretary to acquire in foreign countries such sites and buildings as may be appropriated for by Congress—

Mr. HULL of Iowa. Yes.

Mr. KAHN (continuing). For the use of the diplomatic and consular establishments of the United States, and to alter, repair, and furnish the said buildings.

Now, the gentleman has been abroad, and I know he is, and must be, familiar with the fact that in the great capitals of Europe it is practically impossible to acquire a site. We may be able to buy a building occasionally in some capital or other. And is not the language of the first section of the bill intended to confer authority to acquire that building and use some of the money appropriated here for the purpose of altering it and making it suitable for the purpose of our ambassadors?

Mr. HULL of Iowa. Not at all. The language of the first section goes on and tells what may be done. It then provides that not more than \$1,000,000 shall be appropriated for the purpose at any session of Congress, and then comes the second section appropriating the entire million dollars, not for the purpose the gentleman says, but to secure consular and court buildings at Shanghai and Yokohama and embassy buildings at Berlin and the City of Mexico. It does not allow you to go where you have been talking about.

Mr. KAHN. Berlin is stated in point.

Mr. HULL of Iowa. Berlin is one of the points. The provision is limited to these four places. This entire million dollars is used for them, and this does not require these to be completed out of the million. It is only the first appropriation which is to commence the work. Now, if we are going into work of that kind, I would like to have more light upon the question.

Mr. SLAYDEN. Mr. Chairman, will my friend permit me to suggest to him that while I have no personal knowledge of the necessity which exists in the city of Berlin, that I do have knowledge from very frequent visits of the absolute necessity of some such thing as this being done in the City of Mexico.

I entirely agree with the suggestion which, I am told, was made here by my friend from Arkansas [Mr. MAON], that it is prosperous, undemocratic, and entirely improper to undertake to purchase or erect palaces in which to put American representatives. I am in hearty sympathy with the principle of the bill; but I should like to see some limitation of a specific nature put upon the expenditures, so that we can not cause the preposterous misfit of putting a man with a limited income into a palace, where the upkeep of it would amount to much more than his salary.

Mr. HULL of Iowa. I have no doubt that the same necessity exists in all the capitals of Europe that exists in the City of Mexico.

Mr. SLAYDEN. No; my friend is mistaken. It is more difficult to get an adequate and proper house in the City of Mexico than in European capitals.

Mr. HULL of Iowa. In the City of Mexico most of the palaces have stables on the first floor, and that creates a little prejudice that they are not the best houses, but most of the houses have that form of construction, or had when I was there fourteen years ago.

Mr. SLAYDEN. That was a long time ago.

Mr. HULL of Iowa. They have moved the stables out, have they, since then?

Mr. SLAYDEN. Yes.

Mr. HULL of Iowa. But what I want to get at is this, that when we enter upon a great scheme of public improvement that will properly house our representatives abroad, a scheme that in my opinion will cost a great many millions of dollars, and ought to cost a great many million dollars before it can be completed, we ought to start it in such a way that Congress will hold the purse strings, without any of the bickering and trouble that will follow if we start out under the provisions of this bill. There is no adequate provision made here for such an expensive and necessary expenditure of public funds.

Mr. MANN. Will the gentleman yield for a question?

Mr. HULL of Iowa. Oh, yes.

Mr. MANN. The gentleman has had charge of the making of many appropriation bills, and he spoke of the fact that half of this money had to be spent in two places and the other half in two other places. What is the gentleman's construction of that language in the bill—

Not to exceed one-half thereof to be expended to secure consular and court buildings at Shanghai and Yokohama, and not to exceed one-half thereof to be expended to secure embassy buildings at Berlin and Mexico City.

Mr. HULL of Iowa. My construction of that is that it only applies to this appropriation, and not to the total cost.

Mr. MANN. Does it require any expenditure at any of those places?

Mr. HULL of Iowa. Not necessarily.

Mr. MANN. Then they have half a million dollars to expend where they please?

Mr. HULL of Iowa. I should doubt that. I should think it would be a moral obligation at least on the executive officers to expend that in the places named in the bill.

Mr. MANN. Oh, well, the moral obligation would depend entirely upon the circumstances which arose to change it.

Mr. HULL of Iowa. I think they could expend it some place else if they wanted to raise a row, but that is what it would do, and I do not think the executive officers would care to do that.

Mr. MANN. It is plain that it does not require them to expend the whole amount at those four places.

Mr. HULL of Iowa. No.

Mr. MANN. Then they could expend as little as they pleased, and, as I say, they could spend \$900,000 at one place if they wanted to under this bill.

Mr. HULL of Iowa. My judgment is that the State Department would feel bound by this language to expend this \$1,000,000 at these four places.

Mr. LONGWORTH. Of course it is conceivable that the suggestion of the gentleman from Illinois [Mr. MANN] might be carried out if we had an absolutely crazy man as Secretary of State; but does not the gentleman realize that these four specific objects are those which have been most urgently recommended by the Secretary of State as the objects for which an appropriation is now immediately necessary?

Mr. MANN. On the contrary, the distinguished committee of which the gentleman is one of the leading lights reported into this House last February a bill which did not name two of these places at all, but which involved the expenditure of \$1,373,643, and when they reported that they forgot to put in Berlin and Mexico City.

Mr. LONGWORTH. Regarding that, I may say again that I regret that I am no longer a member of the committee, but nevertheless it is a fact that the two embassies most urgently favored by the Secretary of State have been the embassy in Paris and that in Berlin.

Mr. MANN. Yes; but this does not provide for an embassy in Paris at all. The bill does not mention Paris. The bill that is before us does not provide for an embassy at Paris.

Mr. LONGWORTH. But it does at Berlin.

Mr. MANN. The gentleman said Berlin and Paris.

Mr. LONGWORTH. I said Berlin and Mexico City. [Laughter.]

Mr. HULL of Iowa. Mr. Chairman, answering the gentleman from Illinois, I would say that I do not believe there is any trouble about any executive officer of the Government so violently disregarding the plain provisions of the law that he would undertake to spend this million dollars at any other point than those named in the bill.

Mr. MANN. I am afraid the gentleman from Iowa does not read all the decisions of the Comptroller of the Treasury.

Mr. HULL of Iowa. I would not be afraid to leave the provisions of the bill in that respect, but I do claim that after that money is spent there is nothing in the bill that requires an executive officer to confine the cost at those places to the million dollars. In answer to the gentleman from New York, I want to say that the same thing as applied to the War Department has applied to every department of the Government where they are charged with the construction of public buildings. There comes a time in all cases where the first appropriation does not absolutely limit the cost of the building, and they come in for almost double that amount.

I do not say it as a reflection on any cabinet officer, but it is simply a mistake of judgment in the men charged with the submitting of plans and estimates, and the only way in which they can make it absolutely certain is to fix in the law a limitation that the cost of the building shall not exceed a certain sum, and so make it impossible for them to adopt plans that will call for double the amount of money originally asked for for any particular building.

Mr. HARRISON. Will not the gentleman admit that the fixing of that limit can be done in any bill appropriating money?

Mr. HULL of Iowa. They may take ten years to build one building and make it cost \$10,000,000.

Mr. HARRISON. But the gentleman is now talking about another matter.

Mr. HULL of Iowa. I am talking about the embassies abroad. In some places the price of ground is such that they might pay a half a million dollars for the ground alone. I do not care whether it is a half million or a million, if Congress decides that we ought to pay that amount, but let us do it in the proper way, and not let it go out at loose ends for any executive or clerk or any foreign minister or consular officer to bring upon the Government the opprobrium of making a deal for a piece of ground, making an agreement to buy it, and then have Congress say it is too expensive, and we do not want to appropriate the money.

Mr. BUTLER. Did I understand the gentleman from Iowa to say that the piece of ground for an embassy alone might cost \$500,000?

Mr. HULL of Iowa. Yes.

Mr. BUTLER. Where?

Mr. HULL of Iowa. In London, and I think you would pay \$250,000 for a piece of ground suitable for an embassy in Berlin, and perhaps \$300,000 or \$400,000.

Mr. SIMS. Mr. Chairman, I do not rise for the purpose of criticising the details of this measure or its general object and purpose, but to appeal to this House not to undertake a new scheme involving the expenditure of millions until we get through with some that we have on hand now. It is said that the millionaires are willing to go abroad as ambassadors and spend a large portion of their income in great show, parade, and style; all of which is of no benefit to a simple democracy like ours. But getting away from that, why should we authorize the building of these buildings in foreign countries, to be laughed at if we do not continue, if we do not complete, if we do not erect buildings in accordance with the estimate placed upon our ability to do so? One gentleman—I think it was the gentleman from New York, but I may be mistaken—said that the effectiveness, the power, and the influence of the American ambassador in China depended more upon the house he lived in, or upon the outside show of expenditure, than upon the ability of the man and the prestige of the Nation.

Mr. HARRISON. I did make a statement which the gentleman may have misunderstood, because it was not exactly what he stated. I did not discuss the question of the ability of our representative to China, but I said that the style of house in which our minister or consul there lived had a very large effect upon the Chinese people, and that a man living in a house commensurate with the dignity of the United States can further the interests of our country much better than a man living in the miserable kind of places we have there now.

Mr. SIMS. Well, after all, it is the dignity of the gentleman, judged by the expenditure of the money by himself or by

his Government, and not his reputation or the dignity of his country, that is to impress the Chinese. Are we not to-day confronted with bond issues to carry out schemes already authorized or in course of construction? Are we not to-day paying interest on bonds issued to build the Panama Canal? Are we not confronted with an estimate of the cost of that canal that far exceeds any former estimate?

I see an estimate from a pretty respectable source that it may cost as much as \$500,000,000 to complete the canal. We have to finish it. We have undertaken it and we can not stand back and not complete it, and without reference to cost. We want to do it as cheaply as possible to do it well, but we would be the laughing stock of the world if we did not go ahead and complete that canal. We will also be laughed at if we commenced building a lot of embassies and consular buildings abroad and did not complete them. Why not wait until we get through with those things which to-day are running this Nation into debt before we commence any other project? We are being importuned here at home every day to buy the Appalachian Mountains, in order that we may conserve the forests. We are also being importuned to spend \$50,000,000 a year in digging a canal from Chicago to the Mississippi River and a channel 14 feet through to the Gulf for the benefit of our home people.

The gentleman from Missouri [Mr. BARTHOLOTT], I believe, has introduced a bill authorizing a bond issue of \$500,000,000 for the purpose of accomplishing that great result to our home people. The people here want something as well as style for our ministers and ambassadors abroad. There is another demand being made all over this country, and that is for federal aid to public road construction. When you tell the average farmer or wage-earner of this country that our millionaire ambassadors get \$17,500 a year to live abroad, what does he think when you will not give a dime to build a road by his door? It will be hard to convince those gentlemen that you are spending money here wisely, judiciously, and for the benefit of the people who sent us here and who can keep us away when they see proper. In building this great canal that has been agitated for fifty years, did it ever enter into the minds of any voter, or even into the minds of great far-seeing statesmen who stand before me, that we would spend money on that Canal Zone for purposes for which it is now being spent? It may be a little thing, but it shows which way the wind blows.

I hold in my hand a paper called "The Canal Record." It says it is published by authority of the Canal Commission. I am informed it is done at public expense. If I am mistaken, I will be glad to have someone correct me. It is sent out free, as I understand, at least a certain number. I received one today. Here is the envelope. It is a franked envelope, and the penalty for the improper use of the frank is \$300. It is marked "Official business." Much of what it contains pertains to the construction of the canal which it is important that members of Congress should know, but I struck one page of heavy-weight material in this document, a part of which I will read, and I then began to think to myself what the Appropriation Committee was doing when it appropriated money to be used as it is here being used. When we get these foreign consular and embassy buildings under way, they may have to have a press agent located around so as to report the doings of our great dignitaries abroad, especially in China, where a man's efficiency is measured by the amount of show he makes, and not by his brains.

I have just received this issue of the Canal Record, which is dated December 23. The title to one entire page is "Social life on the zone." Here is some of the information that you are paying interest on bonds to scatter free through the mails. Listen, wise and noble statesmen. I may not pronounce these names correctly, but I hope you will not treat me as a Chinaman would and measure my usefulness by my lack of education. [Laughter:]

The Gorgona Dramatic Club presented the farce comedy, *The Doctor*, to a large audience at the Commission Clubhouse on Saturday evening, December 19.

Well, Mr. Chairman, I must admit that some doctors are a farce, as are also some lawyers. This article continues:

In response to a request from the residents of Gatun, the club will repeat the performance on Thursday evening, January 7. Arrangements will be made for a special train from Gatun to Gorgona and return.

Great national matters these! Matters that you must know, and that are sent free to some people. I am going to put it into the Record in order that it may go free to everybody, and so treat the people all alike.

Mr. MANN. Will the gentleman yield for a question?

Mr. SIMS. Certainly.

Mr. MANN. Does the gentleman think there is any objection to the Isthmian Canal Commission publishing that information for the benefit of its employees or for the employees to have a dramatic association?

Mr. SIMS. Well, when I get through perhaps the gentleman will ask a question applying to all I am reading, but I am not yet through.

Mr. MANN. I thought you had finished.

Mr. CLAYTON. Was it a free show? That is what I want to know.

Mr. SIMS. I am not informed as to whether the show was free or not. I will read some more:

The following announcement is made to the zone clubs in regard to the federation pins: Members who wish to order the pin, which is a Tiffany design in dull gold, with palm leaves of green enamel, will kindly notify the chairman of the committee, Mrs. Thomas E. Brown, Jr., Cristobal, through their club secretary, as it is desired to send in the order for the pins with as little delay as possible.

Mr. OLLIE M. JAMES. Tiffany design?

Mr. SIMS. It says "Tiffany design;" I do not know whether they got them from Tiffany or not. Now, here is another:

SINGING CLUB.

It is desired to organize a singing club in Ancon, and an invitation is extended to residents of Ancon and La Boca who have taken part in any amateur production, either singing or speaking, to send their names to the undersigned. The club will be regularly organized and be governed by a set of rules which it is believed will conduce to united and satisfactory work.

W. F. BENNYHOFF, Ancon.

And here is another:

NOTICE TO KANGAROOS.

All Kangaroos at Cristobal, Colon, and Porto Bello, who have signed application for and are interested in forming a court at Cristobal, please meet at Lodge Hall, Cristobal, on Sunday, December 27, at 2 p. m., for the purpose of perfecting an organization.

J. K. GIBSON,
Chairman of Committee.

Now, here is one in which the United States and the world no doubt is interested, which we will forgive them for printing and sending abroad at government expense:

TIVOLI CLUB DANCE.

The Tivoli Club will give its next dance at the Hotel Tivoli on Thursday evening, December 31, New Year's eve, instead of on Saturday, December 26.

Now, these are not all. I have only read you some samples from the last issue. Every issue of this paper has a multitude of such notices in it, and has recently sent out in bound form a large number of the first issues—I have forgotten for how long, but several months—from which I have a string of such items too long to read here now.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. SIMS. Certainly.

Mr. MADDEN. Does the gentleman think the official information furnished in the Canal Record is of sufficient importance to warrant the publication of that record?

Mr. SIMS. The information bearing on the canal construction and matters necessarily relating thereto I certainly have no objection to being furnished to those entitled to it at government expense.

Mr. MADDEN. Has the gentleman been educated or edified by the information furnished through the Canal Record in connection with the work of the construction of the canal?

Mr. SIMS. Well, I have often read information, or purported information, in this paper that I appreciated as valuable.

Mr. MADDEN. Is it not a fact if the gentleman read the Record that he would be able to keep himself familiar with the progress being made in the construction of the canal?

Mr. SIMS. Why, if all of it is given, certainly; but I do not know whether it is all given or not. I presume it is under the authorization of the Canal Commission, but what I am criticising is this: As I have said, I do not know how much this adds to the cost. I do not know what the editor of this paper gets or whether he gets anything out of the government crib or not, and do not even know who he is. I do not care—

Mr. MANN. If the gentleman wants to be informed, he is Mr. Bishop, secretary of the commission. Now, does the gentleman object to the Isthmian Canal Commission endeavoring to furnish social life to the people from the United States employed on the zone in the work of building this canal?

Mr. SIMS. I will ask the gentleman if his constituents are willing to be taxed and to tax future generations by bond issues to run a paper to give notices of dances, club meetings, and other things usually found in the society columns of local papers?

Mr. MANN. My constituents, and I believe the gentleman's constituents, are proud to be able to contribute a little bit to lessen the severity and lack of social life of those people who

have gone from my district and other districts to the Canal Zone to help build the canal. [Applause.]

Mr. SIMS. Mr. Chairman, I find a great many of my people want to undertake the severity of living down there at the salaries paid, but they can not get the jobs.

I want to say, further, that I believe any Member of this House would be very glad to accept a position on the Canal Zone and live there at the salary paid members of the Canal Commission who do live there, and that they would be willing to pay for social notices out of their own pockets to let their people know when the whist clubs meet and the dances are to be had, without putting it in a weighty government publication, paid for by the Government, and sent through the mails free.

I am talking about what this kind of thing leads to. I do not know of any authority for it, unless the "bad Appropriation Committee" put something in the appropriation bills authorizing it, and we have followed their lead and voted for it, and "did not know it." But see where we are going, where we are tending, and what we submit to. We might as well have a vaudeville theater there, paid for at government expense, in order that our \$15,000 salaried commissioners may be entertained at government expense.

What is a minority Member for if not to tell the truth about the majority and let them take care of themselves the best they can? I am reading from a record published at public expense and not confined to information necessary to be known by anybody except those who ought to pay for it if they want it bad enough to have it.

That is what we do here in Washington. We buy the papers here, and pay for them, that tell what time your family will be invited to some social affair, dance, or whist club performance.

When your Government is running behind every day, when the Ways and Means Committee are bothering their brains to try to reduce the tariff on articles of consumption and at the same time get enough money to run a Government whose necessary expenses are increasing every day and must continue to increase, we should not enter into this project of building palaces, palatial abodes for our foreign ministers and ambassadors and consuls, in order that we may equal in "swell-dom" the monarchies of Europe, that we do not pattern after, follow, or seek to follow. I think the bill ought to be voted down.

Mr. GAINES of Tennessee rose.

Mr. LOWDEN. Mr. Chairman, I move that the committee do now rise.

Mr. GAINES of Tennessee. I have the floor now. Just wait a minute.

The CHAIRMAN. The gentleman from Tennessee [Mr. GAINES] has the floor. The gentleman from Tennessee is recognized.

Mr. GAINES of Tennessee. Mr. Speaker, I do not believe, to be short and brief, that the Government of the United States should at this time begin this almost endless, huge expense in foreign countries. We are familiar with the present condition of the Treasury. The revenues are running behind. We understand that. We are all familiar with what the people of this country want built in this country. It is needless to take up the time of the committee to recite the enterprises that we have and those that we want. Let us look at conditions here in the District of Columbia. A few days ago we had up the legislative, executive, and judicial bill, and I noticed a great deal of money being paid out for rent of buildings in the District. I asked the committee how much rent we paid for buildings in Washington City. One Member said about \$150,000 a year, another said about \$200,000, another about \$300,000, I think, and another guessed about \$400,000, and by this time a Member looked up the facts and stated that we are now paying \$471,000 for rent of private buildings in which the public service is conducted in this city.

Since that statement, down here on F street, I believe it is, we have lost by fire in the Geological Survey about \$20,000 worth of valuable documents, documents of a kind that we all know are of value. We rented this building for public use. The public service was otherwise interrupted by this fire. Since then I have noticed in the public press a statement made by a very distinguished engineer whom I happen to know, and a very bright, brainy, enterprising engineer of San Francisco. Hear what he said:

Valuable records in danger.

LACK OF FIREPROOF CONSTRUCTION IN GOVERNMENT BUILDINGS IN WASHINGTON.

WASHINGTON, December 24, 1908.

The lack of fireproof construction in the government buildings, the need of which was accentuated by the recent fire in the Geologic Survey, the second in four years, is a serious matter for congressional consideration, according to Marsden Manson, city engineer of San Francisco.

Francisco, who is on a visit to the city. It was his duty to inspect the burned area after the San Francisco catastrophe, and on the information gained were drafted the present building regulations in force there, which are said to be the strictest in the country.

"In examining many of the buildings in Washington occupied by the various departments," he says, "buildings in which are stored data and documents of almost incalculable value, I find that they are mainly structures which would not rank higher than San Francisco's third class of buildings. It is astounding that the Government faces such risks. Note the Geological Survey fire. The floors in that building are of wood; so are the doors and file cases and furniture, and in that building are data many times the value of the structure. Note the Interior Department, with its valuable records. You will find wooden shelving, wooden furniture, and wooden window frames. Now, a building of that kind is not safe. I would suggest for economy that the government buildings be put in better shape to resist possible fire."

During the discussion here to-day I sent to the document room and got what is known as the "Book of Estimates," which I now hold in my hand, and which was referred to by the member of the committee who replied to my inquiry a few days ago about what it cost to rent buildings in Washington City. I am going to read from it, because during my long service here I have never heard this question discussed. It has rather gone unnoticed, so far as I know. We have appropriated from year to year for rents and the amounts have increased, and so on and so on, and public attention has not been challenged to it. I find stated in Appendix D a statement of "Buildings rented within the District of Columbia for use of the Government."

Here is a "recapitulation," and I hope every gentleman in the Chamber will listen to these figures:

Department.	Amount.
State.....	\$3,580.00
Treasury.....	60,566.00
War.....	17,720.00
Navy.....	24,500.00
Interior.....	60,325.00
Post-Office.....	49,405.00
Agriculture.....	64,475.00
Commerce and Labor.....	70,709.89
Justice.....	28,200.00
District of Columbia.....	41,296.50
Interstate Commerce Commission.....	43,200.00
Public Printer.....	7,400.00
Total.....	471,377.30

Making a total of \$471,377.30 that the Government of the United States is annually paying out for private houses in which to transact the public business. Is that wise or not? Is that economy or not? That is the question.

Now, how long that great drain has gone on I do not know, but, I presume, for years and years. How much longer is that policy to be pursued? While the matter was up a few days ago the distinguished gentleman from Georgia [Mr. Livingston] said it was his judgment—in response to a question I had asked—that we should issue bonds and let the future help to pay for erecting proper and necessary buildings for the public use in the District of Columbia. He stated it at \$50,000,000. I talked with him a day or two ago, possibly to-day, and he stated we should issue \$20,000,000; that that amount would erect enough buildings for many years. But whether we should issue bonds or not, I am talking about facts which should interest every Member of this House and will interest the people of this country. Now, then, I am going to run through, with the indulgence of the committee, some of the items of rental.

Mr. MANN. Will the gentleman yield to a question?

Mr. GAINES of Tennessee. Yes.

Mr. MANN. Does the gentleman think it more important to construct public buildings in the District, to stop paying rent, than to construct buildings in the other cities of the United States for the purpose of stopping rent there?

Mr. GAINES of Tennessee. Now, I will say to my friend that they both should be done, but done wisely.

Mr. MANN. Does the gentleman think it practicable for the Government to engage in the construction of public buildings, not only in Washington, but in every city of the United States where there is not a post-office building, all at once?

Mr. GAINES of Tennessee. Certainly; in proper cases we should put up post-office buildings.

Mr. MANN. Would not the construction of post-office buildings throughout the country come a little ahead of the construction, all at once, of buildings to be used in the District in the place of those for which rents are paid?

Mr. GAINES of Tennessee. I am stating those unknown facts, so that Congress and the people can take them and consider what should be done here in Washington City and also decide where there should be buildings for the post-offices in the several States.

Mr. MANN. We could take the money gentlemen propose to spend here and put up some post-office buildings in the country?

Mr. GAINES of Tennessee. I am not proposing to spend a single dollar. I am not discussing whether we should appropriate a single dollar or not. I am calling attention to facts which I have never heard discussed. I am doing it for the purpose of calling it to the attention of the House, the Senate, and the people.

Mr. MANN. The gentleman always gives us valuable information.

Mr. GAINES of Tennessee. I am not talking about the issuing of bonds; I am stating facts. Now, let us see what we are paying for some of these private buildings.

I read from this document:

TREASURY DEPARTMENT.

Third and fourth floors and two sections on fifth floor, Nos. 920 and 922 E street NW. Storage of documents and records, \$8,000.

Third, fourth, and sixth floors and north half of fifth floor, Union Building, G street, between Sixth and Seventh streets NW. Offices Auditor for Post-Office Department and Auditor for the Interior Department, \$23,250.

Now, that is in the Treasury Department. Here is the building for the Navy Department:

For the Mills Building, \$24,500.

Mr. SABATH. For how many years?

Mr. GAINES of Tennessee. For each year.

Building rented by the Navy Department in Washington for the fiscal year ending June 30, 1909—the Mills Building—\$24,500.

Mr. GOLDFOGLE. What is that for?

Mr. GAINES of Tennessee. For the Mills Building.

Mr. GOLDFOGLE. What was the \$23,000 for?

Mr. GAINES of Tennessee. For—

Offices of the Auditor for the Post-Office Department and the Auditor for the Interior Department, Union Building, on G street between Sixth and Seventh streets NW., \$23,250.

Mr. GOLDFOGLE. Three floors?

Mr. GAINES of Tennessee. Yes. Now let us go over on the next page.

INTERIOR DEPARTMENT.

In the Interior Department, F street NW., we pay an annual rental of \$29,200 for the Hooe Building. I am giving only the large items. Here are a lot of other buildings that are rented at less rates, running from \$1,000 to \$8,125, making a total of \$60,325 that we are paying in rent for the Interior Department.

POST-OFFICE DEPARTMENT.

Let us take up the Post-Office Department. First and K streets NE., mail-bag repair shop, and so forth, \$34,400. The total for the year for that department is \$49,405.

DEPARTMENT OF AGRICULTURE.

When we turn to the Department of Agriculture, it looks as though the rented houses are scattered all over the city of Washington. Here are a great number of buildings that look as though they might be more or less shanties, that the Department of Agriculture is now renting. The total rent is \$64,570 for the Agricultural Department. Here is the Atlantic Building, 930 F street NW., \$24,805; another building, \$10,110.

DEPARTMENT OF COMMERCE AND LABOR.

Now we come to the Department of Commerce and Labor: The Willard Building, 513-15 Fourteenth street NW., \$11,830; the Emory Building, \$21,000; the National Safe Deposit Building, \$6,750; another at \$7,000; another at \$4,000; another at \$2,000; another at \$4,000; another at \$4,900, and so on; making all told, \$70,200.

DEPARTMENT OF JUSTICE.

We come now to the Department of Justice: No. 1000 Vermont avenue, for records and office and business of the department, \$6,500; No. 1435 K street NW., for records, and so forth, \$10,000, and so on; making a total of \$28,200.

Then follows a list of buildings rented by the District of Columbia for the fiscal year ending June 30, 1909, \$41,296.50. Then for the Public Printer, \$7,400.

INTERSTATE COMMERCE COMMISSION.

Then we come to the Interstate Commerce Commission, which occupies that old rattletrap of a building down on F street, the American National Bank Building, 1317 F street, the third, fourth, fifth, sixth, seventh, eighth, and ninth floors, five rooms on the second floor, and one room on the first floor; also entire cellar, including heater, elevator, and water service, \$28,800; Nos. 1307, 1309, and 1311 G street, Epiphany Building, second third, and fourth stories, \$12,000; making a total of \$43,200.

Making a grand total of \$471,377.30 that we annually pay for the rent of buildings for governmental purposes in this District. Those figures are official. Now, how long is that policy to be pursued? And if these are facts (and no one can dispute them) should we embark in the matter that is now pending?

Particularly with our Treasury in the condition in which it is? We know just as well as we know that we are standing on the floor of this House, judging the future by the past, that the appropriation of \$1,000,000 or \$2,000,000 to start this great enterprise that may or may not be much needed (I observed the fact when I was abroad that it was needed in some places) will only be a beginning, and that it will require many millions of dollars to accomplish. Should we undertake it when the conditions here in the District of Columbia and other cities in the United States where there are government offices are such as I have described, conditions which should be met promptly? It certainly does look to me as though we should first take care of these matters here at home.

Now, following up that information which I have just given you and which I received a few days ago, I introduced yesterday the following resolution.

Mr. HARDY. Will the gentleman from Tennessee yield?

Mr. GAINES of Tennessee. I will yield to the gentleman.

Mr. HARDY. I understood the gentleman to say that the total rent cost to the Government here in the city of Washington was \$471,000.

Mr. GAINES of Tennessee. Four hundred and seventy-one thousand three hundred and seventy-seven dollars and sixty-seven cents.

Mr. HARDY. Can the gentleman give an idea of the cost of the maintenance of the Senate and House Office Buildings?

Mr. GAINES of Tennessee. No. But I will say to the gentleman that ever since I have been in Congress I have paid from \$10 to \$25 a month for rent of a place in which to transact public business for my people and the country, and now I do not have to pay that unjust burden.

Mr. HARDY. I have heard it estimated that the cost was \$35,000 each.

Mr. GAINES of Tennessee. If the gentleman had been in Congress as long as I have and paying \$10 a month between sessions and as soon as the gavel falls in this House \$25 a month for an office in which to transact the public business, I am sure the gentleman would have thought as I do, that it was a great hardship for Members to be obliged to hire an office in which to do public work. When the gentleman was a judge—and I am sure he was a good one—and held court, the courthouse was given free in order that he might transact the public business. He would have thought it rather hard for him if he had to rent a building in which to hold court and administer justice.

Mr. HARDY. My only object was to get at the facts, because that would be an addition to the \$471,000.

Mr. GAINES of Tennessee. But does not the gentleman from Texas think that this matter ought to be taken up and investigated? Now, Mr. Speaker, I desire to read my resolution of yesterday and then conclude my remarks. The resolution is as follows:

Whereas the Government of the United States is now paying \$471,000 annually for the use of private buildings in the city of Washington and the District of Columbia in which to conduct the public business and store valuable documents; and

Whereas some of these buildings are not fireproof and are unsafe and otherwise unfit for such service; and

Whereas recently a large number of valuable public records were destroyed by fire in one of said buildings and the public business otherwise interrupted: Therefore be it

Resolved, That the Committee on Public Buildings and Grounds be, and it is hereby, authorized, empowered, and directed to thoroughly investigate the necessity for renting said buildings or other private buildings for said purposes, the reasonableness of the rental paid and to be paid, the kind and length of existing leases, and the necessity for the Government to erect suitable buildings in said city and District in which to transact the public business and the probable cost thereof, making a full and complete investigation of the whole subject, the said committee being fully authorized and empowered to summon and examine witnesses, administer oaths, and make said investigation as clear and complete as practicable.

Mr. Chairman, that resolution was referred to the Committee on Rules, and I hope that in due course it will be reported. I have been asked by the gentleman from Mississippi [Mr. HUMPHREYS] if I have any information whether it will cost more to construct buildings than to rent them. This resolution I have introduced calls for that very information. I do not know. I am giving you the official facts and you can draw your own deductions. When we expect this Republic to exist until all other republics have dissolved, we ought to begin to think whether it would be better to own all our buildings than to go along in the manner in which we have. Now, so much for that.

Going back to the pending bill, I find in the Book of Estimates the salaries paid to our ambassadors and ministers to be as follows:

SALARIES OF AMBASSADORS AND MINISTERS.

Ambassadors extraordinary and plenipotentiary to Austria-Hungary, Brazil, France, Germany, Great Britain, Italy, Japan, Mexico, Russia,

and Turkey, at \$17,500 each; envoys extraordinary and ministers plenipotentiary to the Argentine Republic, Belgium, Chile, China, Cuba, the Netherlands and Luxemburg, and Spain, at \$12,000 each; envoys extraordinary and ministers plenipotentiary to Colombia, Costa Rica, Guatemala, Honduras, Nicaragua, Panama, Peru, Salvador, and Venezuela, at \$10,000 each; envoys extraordinary and ministers plenipotentiary to Denmark, Morocco, Norway, Paraguay and Uruguay, Portugal, Roumania and Serbia and diplomatic agent in Bulgaria, Sweden, and Switzerland, at \$10,000 each; envoy extraordinary and minister plenipotentiary to Greece and Montenegro, \$10,000; envoys extraordinary and ministers plenipotentiary to Bolivia, Ecuador, Haiti, Persia, and Siam, at \$10,000 each; minister resident and consul-general to the Dominican Republic, at \$10,000; minister resident and consul-general to Liberia, at \$5,000; agent and consul-general at Cairo, at \$6,500; and chargé d'affaires ad interim, \$40,000.

The total is \$550,500.

The total for "Foreign intercourse" being \$3,880,194.72, as shown by the footing on page 166 of this document.

Now, Mr. Chairman, there is the Japanese and Mexican projects that may be needed. I am disposed to believe that they are needed in both places, but we are paying the ambassadors \$17,500, and now it is proposed to give them great ambassadorial residences, where they can entertain hugely. But we need improvements here at home, where the people are not receiving \$17,500 salaries. Our people are clamoring for them—our locks and dams, our rural delivery roads, our interstate roads that the Supreme Court has decided within the last twelve months we have the legal right to build. All these the people are clamoring for. There is the deepening of the Mississippi River, a great project, the draining of the Lakes, and the finishing of our post-office buildings. I have been working here for twelve years to get a small appropriation for a post-office in my district, and only succeeded in getting a \$5,000 site last session, and when complete the building is to cost only fifty or sixty thousand dollars.

Now, then, is it wise, with this great Panama burden upon us, with the liability to strike a hole at any time and the whole business sink—with that endless chain of expense; with our army increasing and its expense; with our navy that must increase, each ship costing us over \$10,000,000; and with the Philippine Islands—that running sore, as it were—is it wise for us to enter upon this project at this time? I speak of the Philippine Islands as being a running sore. That is honest, too. They have brought the plague to our borders exactly as I prophesied when I went to the Philippine Islands and came back, and you all smiled at me when I prophesied that, but it has all come true. My heart has ached to see this poor leper out here in the woods staked out like a wild animal in a thicket, where his own wife and his own child, just born, is not allowed to go about him, and all because we went to the Philippine Islands and shot independence into those people, when they wanted their own independence, and that has put that burden not only upon our conscience, but upon the Treasury of the United States. We have the great western slope inoculated with the plague, more or less, and my distinguished friend from California [Mr. KAHN], who always gets whatever he wants, obtained an immense appropriation here, and I voted for it gladly and would do it again to wipe out that plague. Our ships from the Philippines brought the plague to the Golden Gate. It is all over the West.

Mr. KAHN. Mr. Chairman, I want to tell my friend that the plague is entirely gone. There is no plague there.

Mr. GAINES of Tennessee. Yes; but it is likely to return in every ship from the Philippines. Every mouse that comes across brings it from his nose to his tail. Have you killed all the rats in San Francisco?

Mr. KAHN. Killed the rats; practically all. It is carried by the rats.

Mr. GAINES of Tennessee. Very well. There are more to come, and when the gentleman tells me that I feel like saying, "Oh, rats!" because we all know the plague is coming again, and the burdens of the Treasury we all know have been increased. I think it is about half a million of dollars that we gave those people there in order to exterminate the plague in San Francisco, was it not, I will ask the gentleman from California?

Mr. KAHN. Why, for the purpose of use; yes.

Mr. GAINES of Tennessee. Oh, how much money did we give you? I did not talk anything about the use of it.

Mr. KAHN. Congress appropriated \$500,000 on one occasion and \$200,000 on another occasion.

Mr. GAINES of Tennessee. And what will be required this year—a million?

Mr. KAHN. Oh, no; only a small sum.

Mr. GAINES of Tennessee. I venture to say that the gentleman will not say that he will not ask for a million dollars.

Mr. KAHN. The gentleman is entirely mistaken in his

premise. That money was not asked specifically for San Francisco. It is asked for stamping out the plague in every section of the country where it may be found.

Mr. GAINES of Tennessee. Did not the gentleman make a speech for it and put it upon the ground that it would be all over the West.

Mr. KAHN. The danger was that it would be all over the West.

Mr. GAINES of Tennessee. Yes; and before we brought the Philippine Islands under our wing it was not all over the West, nor in Washington, and we did not have to take \$500,000 out of the Treasury to go out and help the doctors exterminate the plague. I hear of cases all over the United States now. It just goes to show what my good Republican friends have brought upon the country over my protest.

Mr. KAHN. The gentleman is mistaken as to where the plague comes from. It comes from China and India and Japan.

Mr. GAINES of Tennessee. It did not come before we got the Philippine Islands.

Mr. KAHN. I am inclined to think there have been sporadic cases long before we got the Philippines.

Mr. GAINES of Tennessee. The record is that you did not ask for any money to exterminate it until recent years. You gave the mice and rats a chance in your town, and now you

do not do it. So, gentlemen, we are traveling mighty fast, if we only turn around and look to see how far we have gone. Our burdens are almost limitless and the possibilities are incalculable. I know the gentlemen who have reported this bill have given it serious consideration. We have their judgment that it is needed. You know, gentlemen, that my colleague [Mr. SIMS] has vigorously and intelligently pointed out to you the heavy responsibilities that are upon us here at home, and I do think before we go across on the other shore that we should stop and see what is to do at our door and what is at the gateway of the taxpayers of this country that we have not given them, and to which they are entitled as citizens and taxpayers, and what the Government needs as a government here in the city of Washington and elsewhere in the States, before we embark in something the end of which we can hardly contemplate, which involves millions of dollars, at a time when a bond issue is threatened, when our Treasury is practically bankrupt, when, as we know, we are now meddling with the tariff, which always means that the amount of revenues is lessened, and when we have before us an army of unemployed. Now, gentlemen of the Foreign Affairs Committee, I say, in all kindness, that under the circumstances, however meritorious your proposition is, it should not at this time be adopted, and I do not intend to vote for it.

APPENDIX.

Statement of buildings rented within the District of Columbia for the use of the Government, as required by the act of July 16, 1892 (27 Stat., p. 199).

BUILDINGS RENTED BY THE STATE DEPARTMENT IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1909.

Location of building.	For what purpose used.	Annual rental.
No. 1518 L street NW.	Stable for State Department.	\$720.00
No. 522 Seventeenth street NW.	Offices of State Department.	2,800.00
Total		3,580.00

BUILDINGS RENTED BY THE TREASURY DEPARTMENT IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1909.

No. 1709 New York avenue NW.	Photograph gallery and storage of documents and records.	\$2,500.00
No. 400 Nineteenth street NW.	Treasury stables.	1,200.00
Third and fourth floors and 2 sections on fifth floor, Nos. 920 and 922 E street NW.	Storage of documents and records.	8,000.00
Third floor and rooms 403, 404, 405, 410, and 411, Star Building, Eleventh street and Pennsylvania avenue NW.	Offices Life-Saving Service.	5,136.00
Third, fourth, and sixth floors and north half of fifth floor, Union Building, G street between Sixth and Seventh streets NW.	Offices Auditor for the Post-Office Department and Auditor for the Interior Department.	23,250.00
Thirteen rooms on seventh floor and 5 rooms on eighth floor, Munsey Building, Pennsylvania avenue between Thirteenth and Fourteenth streets NW.	Offices Auditor for the Navy Department.	11,980.00
Second, third, fourth, and fifth floors, Small Building, Fourteenth and G streets NW.	Offices Auditor for the State and other Departments.	8,500.00
Total		60,566.00

BUILDINGS RENTED BY THE WAR DEPARTMENT IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1909.

No. 1729 New York avenue NW. (Lemon Building).	War Department.	\$7,200.00
No. 532 Seventeenth street NW.	Depot Quartermaster.	2,500.00
No. 1744 G street NW.	Signal Office, Board of Ordnance and Fortifications, 1 Army Board, and 2 storerooms for Secretary's Office, etc.	2,500.00
No. 610 Seventeenth street NW.	The Adjutant-General's Office.	1,500.00
No. 1720 H street NW.	Medical Dispensary.	1,000.00
No. 1800 F street NW.	Bureau of Insular Affairs.	720.00
No. 1712 G street NW.	The Adjutant-General's Office.	800.00
Nos. 920 and 922 E street NW.; section A, fifth story, and a section of office on first floor.	Bureau of Insular Affairs.	1,500.00
Total		17,720.00

BUILDING RENTED BY THE NAVY DEPARTMENT IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1909.

Mills Building, corner of Pennsylvania avenue and Seventeenth street NW.	Annex for the purposes of the various bureaus, Hydrographic Office, Naval Dispensary, Navy Pay Office, Headquarters U. S. Marine Corps, General Board, Board of Inspection and Survey, and the Naval Examining and Retiring Board.	\$24,500.00
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BUILDINGS RENTED BY THE DEPARTMENT OF THE INTERIOR IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1909.

Eighth and G streets NW.	Education office.	\$4,000.00
Eighth and E streets NW.	Civil Service Commission.	4,500.00
Hoe Building, F street NW.	Geological Service.	29,200.00
Additional rooms.	Printing and engraving division, Geological Survey.	1,200.00
Basement, addition to main building.	Geological Survey.	1,500.00
Additional rooms in main building.	do.	3,000.00
Union Building, G street NW.	South half basement, storage documents, etc.	800.00
Do.	Second, third, and fourth floors, for Patent Office models; vacated November 30; 6 months' rent, at \$1,625 per month.	8,125.00
Washington Building Company office.	Reclamation Service.	8,000.00
Total		60,325.00

Statement of buildings rented within the District of Columbia for the use of the Government, etc.—Continued.
BUILDINGS RENTED BY THE POST-OFFICE DEPARTMENT IN THE DISTRICT OF COLUMBIA FOR THE FISCAL YEAR 1909.

Location of building.	For what purpose used.	Annual rental.
Union Building, G street between Sixth and Seventh streets NW	Station G, city post-office	\$3,500.00
No. 1419 G street NW	Station C, city post-office	\$2,400.00
No. 400 East Capitol street	Station B, city post-office	\$2,000.00
No. 716 Four-and-a-half street SW	Station D, city post-office	\$850.00
No. 1413 Park street	Station F, city post-office	\$1,880.00
No. 11 Harrison street (Anacostia)	Station H, city post-office	\$800.00
Twenty-fourth street NE, between Channing and Douglas streets (Langdon)	Station K, city post-office	\$200.00
Anacostia avenue and Benning road (Benning)	Benning Station, city post-office	\$1,200.00
Bunker Hill road and Ninth street NE	Brookland Station, city post-office	\$275.00
Cedar street between Blair road and Baltimore and Ohio Railroad	Tacoma Park Station, city post-office	\$400.00
First and K streets NE	Mail bag repair shop; mail lock repair shop; division of supplies; division of equipment; division of stamps; division of topography; division of redemption; and office superintendent third division, Railway Mail Service.	\$34,400.00
Nos. 918-920 E street NW	Storage of files	\$3,000.00
Alley between L and M, Sixteenth and Seventeenth streets NW	Stable	\$300.00
Alley adjoining First and K streets NE	do.	\$200.00
Total		49,405.00

BUILDINGS RENTED BY THE DEPARTMENT OF AGRICULTURE IN THE DISTRICT OF COLUMBIA DURING THE FISCAL YEAR ENDING JUNE 30, 1909.

Nos. 1224-1226 B street SW	Bureau of Animal Industry, office and storage purposes	\$720.00
Rear of 1228 C street SW	Bureau of Animal Industry, stable	144.00
No. 213 Seventh street NW	Bureau of Animal Industry, offices and laboratories	240.00
Atlantic Building, 930 F street NW	Forest Service, offices and storage purposes	24,805.00
No. 913 E street NW	Forest Service, carpenter shop, and for storage purposes	270.00
No. 1530 Pennsylvania avenue SE	Forest Service, chemical laboratory	600.00
Ouray Building	Forest Service, offices and storage purposes	10,110.00
Nos. 210-212 Fourteenth street SW	Bureau of Chemistry, shed for machinery	240.00
No. 206 Fourteenth street SW	Bureau of Chemistry, offices and laboratories	\$300.00
No. 240 Fourteenth street SW	do.	420.00
Three apartments in the Fairfax, Fourteenth and O streets SW	do.	900.00
Stable, lot 27, square 231	Bureau of Chemistry, storage purposes	93.00
Nos. 200-202 Fourteenth street SW	Bureau of Chemistry, offices and laboratories	2,500.00
No. 1332 B street SW	do.	1,800.00
No. 207 Thirteenth-and-a-half street SW	Bureau of Chemistry, offices and storerooms	\$300.00
No. 212 Thirteenth street SW	Bureau of Chemistry, offices and laboratories	660.00
No. 1358 B street SW	do.	750.00
No. 228 1/2 Thirteenth-and-a-half street SW	Bureau of Plant Industry, Office of Experiment Stations, and Bureau of Publications, document rooms	300.00
No. 215 Thirteenth street SW	Office of Publications, document rooms	5,000.00
No. 237 Fourteenth street SW	Office of Public Roads, offices and laboratories	2,000.00
No. 224 Twelfth street SW	Bureau of Plant Industry, Office of Experiment Stations, and Bureau of Entomology, offices and laboratories	2,500.00
Nos. 1308-1310 B street SW	Office of chief clerk and Bureau of Biological Survey, offices, laboratories, and storage purposes	\$300.00
No. 611 Maryland avenue SW	Office of the chief clerk, storage purposes	\$300.00
No. 204 Thirteenth street SW	Bureau of Plant Industry, offices and laboratories	\$360.00
No. 205 Thirteenth street SW	do.	420.00
Nos. 1304-1306 B street SW	Bureau of Plant Industry, laboratories and storage purposes	2,500.00
No. 209 Thirteenth street SW	Bureau of Plant Industry, offices and laboratories	420.00
No. 203 Thirteenth street SW	do.	420.00
No. 207 Thirteenth street SW	do.	420.00
No. 207 1/2 Thirteenth street SW	do.	420.00
Nos. 221-223 Linwood place SW	Bureau of Plant Industry, seed building	4,200.00
Total		64,475.00

BUILDINGS AND ROOMS IN BUILDINGS RENTED BY DEPARTMENT OF COMMERCE AND LABOR IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1909.

Willard Building, 513-515 Fourteenth street NW	Main building of department (office of the Secretary, Bureau of Corporations, Bureau of Immigration and Naturalization, Division of Information, and office of the solicitor).	\$11,830.00
Emery Building, northwest corner First and B streets NW	Bureau of the Census	21,000.00
204-206 Fourteenth street NW. (part of first and all of second floor)	Bureau of the Census (storage)	1,080.00
National Safe Deposit Building, corner New York avenue and Fifteenth street (in part)	Bureau of Labor	6,750.00
Builders' Exchange Building, 719-721 Thirteenth street NW. (in part)	Light-House Board, Steamboat-Inspection Service, Bureau of Navigation.	7,600.00
Adams Building, 1333-1335 F street NW. (in part)	Bureau of Statistics	4,039.80
Do.	Bureau of Manufactures	2,400.00
Munsey Building, north side of E street, between Thirteenth and Fourteenth streets NW. (7 rooms, fourth floor)	Division of Naturalization	4,300.00
Munsey Building (21 rooms, ninth floor)	For use of temporary employees engaged in compiling data collected by the special agents of the department investigating the condition of woman and child workers in the United States, authorized by the act of Congress approved January 29, 1907 (34 Stat., 806).	4,900.00
NOTE.—These quarters were leased for and occupied from July 1, 1908, to and including October 31, 1908.		
Munsey Building (9 rooms, ninth floor)	do.	\$3,000.00
NOTE.—These quarters are leased for and will be occupied from November 1, 1908, to and including December 31, 1908.		
1137-1139 Seventeenth street NW	Stables	\$1,500.00
920-922 E street NW. (in part)	Storage of records of the Light-House Board	1,500.00
National Safe Deposit Building, corner New York avenue and Fifteenth street (in part)	Storage of records of Bureau of Labor	750.00
Total		70,709.80

BUILDINGS RENTED BY THE DEPARTMENT OF JUSTICE IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1909.

No. 1000 Vermont avenue	For records, offices, and business of the Department	\$6,500.00
No. 1435 K street NW	do.	10,000.00
No. 8 Jackson place	do.	2,100.03
No. 6 Jackson place	do.	1,800.00
Bond Building, 14th and New York avenue; rooms 708 and 717, inclusive	do.	1,800.00
No. 1439 K street NW	do.	2,400.00
No. 1411 H street NW	For the records, offices, and business of the Spanish Claims Commission.	3,600.00
Total		28,200.00

- * Paid out of appropriation for postal service.
 † Including equipment and heat.
 ‡ Including heating and lights.
 § Including heat, lights, elevator, and janitor service.

- * Lease expires April 1, 1909.
 † Lease expires January 1, 1909.
 ‡ Paid from the appropriation "Contingent expenses, Department of Commerce and Labor," as provided in that appropriation.

Statement of buildings rented within the District of Columbia for the use of the Government, etc.—Continued.
LIST OF BUILDINGS RENTED BY THE DISTRICT OF COLUMBIA FOR THE FISCAL YEAR ENDING JUNE 30, 1909.

Location of building.	For what purpose used.	Annual rental.
No. 464 Louisiana avenue NW	Executive and miscellaneous	\$750.00
No. 29 and stable rear No. 31 Monroe street, Anacostia, D. C.	do.	480.00
Stable 210-221 Jackson Hall alley	do.	95.00
Stable rear 2114 H street NW	do.	441.67
Vault in premises Nos. 228-232 First street NW	do.	50.00
No. 470 Louisiana avenue NW	do.	200.00
No. 467 O street NW., 4 rooms	do.	30.00
No. 505 Eighteenth street NW	do.	1,000.00
Premises rear 921 D street NW	do.	240.00
Columbia Building, rooms 507-512	do.	70.00
Columbia Building, rooms 701-707	do.	83.33
No. 301 O street NW	do.	900.00
No. 468 Louisiana avenue NW., 2 rooms	do.	25.00
No. 472 Louisiana avenue NW., 5 rooms	do.	45.00
Room rear 419 Third street NW	do.	48.00
No. 1816 F street NW	do.	240.00
Total executive and miscellaneous		4,608.00
Miner Building, Seventh and Church streets NW	Public schools	3,000.00
No. 1338 H street NE	do.	330.00
Lincoln Memorial Chapel, Sixth and Trumbull streets	do.	300.00
No. 730 Twenty-fourth street NW	do.	720.00
Lots 39 and 40, square 4047	do.	52.50
Chapel St. Luke's P. E. Church, Fifteenth and Church streets NW	do.	300.00
Israel Baptist Church, assembly hall	do.	300.00
No. 1129 G street NE., 3 rooms	do.	300.00
No. 1120 Twentieth street NW	do.	300.00
No. 1017 Twelfth street NW	do.	1,200.00
Garfield Hall, Garfield, D. C.	do.	300.00
No. 1023 Twelfth street NW	do.	420.00
No. 2412 Seventeenth street NW	do.	270.00
No. 1626 Seventh street NW	do.	1,500.00
No. 1623 Seventh street NW	do.	750.00
No. 625 Q street NW	do.	425.00
No. 494 Maryland avenue SW., 2 rooms	do.	300.00
Premises corner Northampton street and Belt road, 2 rooms	do.	300.00
Nos. 624-626 O street NW	do.	1,450.00
No. 1213 Twelfth street NW	do.	700.00
Premises Bunker Hill road, between Eighth and Ninth streets NE	do.	360.00
No. 212 H street NW., second floor	do.	840.00
Rehoboth Chapel, First street between N and O streets SW., first floor	do.	360.00
Peoples Seventh Day Adventist Church, 2 rooms	do.	600.00
Samaritan Temple, First between Second and Third streets SW., 2 rooms	do.	300.00
No. 646 Massachusetts avenue NE	do.	600.00
No. 2801 N street NW	do.	600.00
Emanuel Baptist Church, Garfield, D. C.	do.	240.00
No. 533 Twelfth street SE	do.	1,200.00
No. 1024 Twenty-first street NW., 2 rooms	do.	300.00
No. 3233 N street NW	do.	1,100.00
Nos. 3224, 3226, 3232, and 3234 Eleventh street NW	do.	1,164.00
Northeast Industrial School, Eighth and I streets NE	do.	900.00
No. 1606 M street NW., banquet hall	do.	420.00
Total public schools		22,508.50
National Guard Armory, Center Market	Militia, District of Columbia	8,000.00
No. 902 Pennsylvania avenue NW., third and fourth floors	do.	1,000.00
True Reformer's Building, Twelfth and U streets, basement and office rooms	do.	1,150.00
Armory, 1403 D street NW	do.	1,200.00
Rooms, Evening Star Building	do.	2,100.00
Rifle range, Hillsdale, D. C.	do.	550.00
Total for militia, District of Columbia		14,000.00
Grand total of rent for the District of Columbia		41,296.50

LIST OF BUILDINGS RENTED BY THE PUBLIC PRINTER IN WASHINGTON FOR THE FISCAL YEAR 1909.

Lot 5, square 673	Stable and wagon house	\$2,400.00
Lot 4 and part lot 3, square 673	Warehouse for storage of public documents	5,000.00
Total		7,400.00

ROOMS RENTED BY THE INTERSTATE COMMERCE COMMISSION, WASHINGTON, FOR THE FISCAL YEAR 1909.

No. 1317 F street, American Bank Building, third, fourth, fifth, sixth, seventh, eighth, and ninth floors, five rooms on the second floor, and one room on the first floor; also the entire cellar (including heating, elevator, and water service).	Interstate Commerce Commission	\$28,800.00
Nos. 1307, 1309, and 1311 G street, Epiphany Building, second, third, fourth, fifth, and sixth floors, 1307-1309, and second, third, and fourth floors, 1311; also the entire cellar under 1311 (including heating, elevator, and water service).	do.	12,000.00
Fourteenth and F streets, Westory Building, room No. 806, eighth floor (including heating, elevator, and water service).		900.00
Basement of building No. 1334 F street	Interstate Commerce Commission	1,200.00
Storeroom rear of building No. 1338 G street	do.	300.00
Total		43,200.00

RECAPITULATION.

Department.	Amount.	Department.	Amount.
State Department	\$3,580.00	Department of Commerce and Labor	\$70,709.80
Treasury Department	60,566.00	Department of Justice	28,200.00
War Department	17,720.00	District of Columbia	41,296.50
Navy Department	24,300.00	Interstate Commerce Commission	43,200.00
Interior Department	60,325.00	Public Printer	7,400.00
Post-Office Department	49,405.00	Total	471,377.30
Department of Agriculture	64,475.00		

Mr. LOWDEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, Mr. LAWRENCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21491, and had directed him to report that it had come to no resolution thereon.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 24832. An act for the relief of citizens of Italy.

UNIVERSAL AND INTERNATIONAL EXHIBITION, BRUSSELS, BELGIUM.

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State recommending, for reasons therein stated, an appropriation to enable the United States fittingly to participate in the Universal and International Exhibition to be held at Brussels, April to November, 1910, and in response to the invitation extended by the Government of Belgium. This recommendation has my cordial approval and I hope that the Congress will make timely and appropriate provision for the acceptance of the invitation and for participation in the exhibition.

THEODORE ROOSEVELT.

THE WHITE HOUSE, January 5, 1909.

CHANGE OF REFERENCE.

By unanimous consent the Committee on the Judiciary was discharged from the further consideration of the bill (H. R. 24843) to amend section 1608j of the Code of Law for the District of Columbia, and the same was referred to the Committee on the District of Columbia.

Also, the Committee on Appropriations was discharged from the further consideration of the bill (H. R. 24861) to provide for certain improvements and repairs at Fort Niagara, Niagara County, N. Y., and the same was referred to the Committee on Military Affairs.

ADJOURNMENT.

Mr. LOWDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting a statement as to proceeds of public property during the year ended June 30, 1908 (H. Doc. No. 1171, pt. 2)—to the Committee on Military Affairs and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for heating system at the Carlisle Indian School (H. Doc. No. 1278)—to the Committee on Indian Affairs and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for protection, etc., of rights of the Uncompahgre, Uintah, and White River Ute Indians in certain irrigation systems (H. Doc. No. 1279)—to the Committee on Indian Affairs and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for construction of an additional wing to the Freedmen's Hospital building (H. Doc. No. 1280)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Agriculture submitting an estimate of appropriation for protection of game in Alaska (H. Doc. No. 1281)—to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 13970) granting an increase of pension to Allen Hutchinson—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 22545) granting an increase of pension to Lee M. Shanefelter—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 24407) granting a pension to Bayard Fern—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 24093) granting an increase of pension to Martha L. De Ryder—Committee on Naval Affairs discharged, and referred to the Committee on Pensions.

A bill (H. R. 24829) granting an increase of pension to William I. Milligan—Committee on Naval Affairs discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. KINKAID: A bill (H. R. 25142) to grant an additional right of way to the Chicago and Northwestern Railway Company over and across the Fort Niobrara Military Reservation in the State of Nebraska—to the Committee on Military Affairs.

By Mr. GARDNER of Massachusetts: A bill (H. R. 25143) to provide for the acquisition of a site for the erection of a post-office building at Salem, Mass.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25144) to provide for the acquisition of the site for the erection of a post-office building at Newburyport, Mass.—to the Committee on Public Buildings and Grounds.

By Mr. TOU VELLE: A bill (H. R. 25145) to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late civil war, the war with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late civil war—to the Committee on Invalid Pensions.

By Mr. FULTON: A bill (H. R. 25146) to amend section 8 of chapter 3335 of the acts of the Fifty-ninth Congress, first session, entitled "An act to enable the people of Oklahoma and Indian Territory to form a constitution and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and Arizona to form a constitution and state government and be admitted into the Union on an equal footing with the original States," approved June 16, 1906, by eliminating from the provisions and operations of said act certain lands therein mentioned—to the Committee on the Territories.

By Mr. HULL of Iowa: A bill (H. R. 25147) to credit certain officers of the Medical Department, U. S. Army, with services rendered as acting assistant surgeons during the civil war—to the Committee on Military Affairs.

By Mr. JENKINS: A bill (H. R. 25148) to parole United States prisoners, and for other purposes—to the Committee on the Judiciary.

By Mr. SMITH of Michigan: A bill (H. R. 25149) to authorize certain changes in the permanent system of highways, District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 25150) to amend an act entitled "An act regulating the sale of intoxicating liquors in the District of Columbia," approved March 3, 1893—to the Committee on the District of Columbia.

By Mr. KINKAID: A bill (H. R. 25151) to amend an act entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands"—to the Committee on Irrigation of Arid Lands.

By Mr. FOSTER of Vermont: A bill (H. R. 25152) authorizing and empowering the Secretary of the Department of Commerce and Labor to establish aids to navigation in Alaskan waters—to the Committee on Interstate and Foreign Commerce.

By Mr. CALDER: A bill (H. R. 25153) concerning wrecks on the Atlantic coast in the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. COUDREY: A bill (H. R. 25154) to parole United States prisoners, and for other purposes—to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: A bill (H. R. 25155) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes"—to the Committee on Insular Affairs.

Also (by request), a bill (H. R. 25156) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes"—to the Committee on Insular Affairs.

By Mr. COUDREY: A bill (H. R. 25157) granting pensions to certain enlisted men, soldiers, and officers who served in all the Indian wars prior to the civil war—to the Committee on Pensions.

By Mr. OLCOTT: A bill (H. R. 25158) authorizing the acceptance of Constitution Island—to the Committee on Military Affairs.

By Mr. HOBSON: A bill (H. R. 25159) to provide suitable civilian clothing and a cash gratuity to naval prisoners on discharge—to the Committee on Naval Affairs.

Also, a bill (H. R. 25160) to provide for the naturalization of aliens who have served or shall hereafter serve five years in the United States Navy or Marine Corps—to the Committee on Naval Affairs.

By Mr. LORIMER: A bill (H. R. 25161) to provide for obtaining lands and other property necessary for the construction, repair, and preservation of certain public works in the interests of commerce and navigation at Sault Ste. Marie, Mich.—to the Committee on Rivers and Harbors.

By Mr. SULZER: A bill (H. R. 25162) to amend and consolidate the acts respecting copyright—to the Committee on Patents.

By Mr. TAYLOR of Ohio: A bill (H. R. 25163) to amend section 178 of an act entitled "An act to revise, consolidate, and amend the statutes relating to the Post-Office Department," approved June 8, 1872—to the Committee on the Post-Office and Post-Roads.

By Mr. WALDO: A bill (H. R. 25164) to pay certain claims against the Government arising under the Navy Department—to the Committee on Claims.

By Mr. STEENERSON: A bill (H. R. 25165) for the maintenance and improvement of rivers and harbors in the State of Minnesota—to the Committee on Rivers and Harbors.

By Mr. WEEKS: A bill (H. R. 25166) to provide mobile defense for Atlantic coast and Gulf ports—to the Committee on Naval Affairs.

By Mr. HARDY: A bill (H. R. 25167) to prohibit unfair trade discrimination and competition—to the Committee on the Judiciary.

By Mr. SLAYDEN: Resolution (H. Res. 468) asking the Secretary of War for certain information concerning retired officers of the army—to the Committee on Military Affairs.

By Mr. GREENE: Resolution (H. Res. 469) that the Superintendent of the Capitol inquire into and report upon the most practical method of underground transportation to and from the Capitol, etc.—to the Committee on Public Buildings and Grounds.

By Mr. BROWNLOW: Resolution (H. Res. 470) fixing compensation of officers and employees of the House in certain cases—to the Committee on Accounts.

By Mr. HOBSON: Joint resolution (H. J. Res. 220) authorizing a survey of the Locust and Mulberry forks of the Black Warrior River, Alabama—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 25168) granting a pension to John L. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25169) granting a pension to Nathaniel H. Gable—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25170) granting a pension to Mathias House—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25171) granting a pension to Wilson A. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25172) granting a pension to Henry Eller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25173) granting a pension to Robert L. Kirkwood—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 25174) granting an increase of pension to James C. Ayers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25175) granting an increase of pension to David J. Yost—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25176) granting a pension to Mary J. Bailey—to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 25177) granting a pension to Robert Wilson—to the Committee on Pensions.

Also, a bill (H. R. 25178) granting a pension to Lula G. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25179) for the relief of William Postell—to the Committee on Military Affairs.

Also, a bill (H. R. 25180) for the relief of James H. Hendricks—to the Committee on War Claims.

Also, a bill (H. R. 25181) granting an increase of pension to William F. Shoemaker—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 25182) granting an increase of pension to James F. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25183) granting an increase of pension to Roman M. Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25184) granting an increase of pension to David P. Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25185) granting a pension to Sherman Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25186) granting a pension to William M. Faidley—to the Committee on Pensions.

Also, a bill (H. R. 25187) granting a pension to Taylor Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25188) for the relief of Alfred Raines—to the Committee on Military Affairs.

Also, a bill (H. R. 25189) for the relief of the estates of George W. and Richard B. Cooper, deceased—to the Committee on War Claims.

By Mr. BRUNDIDGE: A bill (H. R. 25190) for the relief of the heirs of Simon Rockwell, deceased—to the Committee on War Claims.

By Mr. BUTLER: A bill (H. R. 25191) granting an increase of pension to William McGowan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25192) for the relief of Oliva J. Baker—to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 25193) granting a pension to Ingeborg Moeller—to the Committee on Pensions.

Also, a bill (H. R. 25194) granting a pension to Minnie H. Greene—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 25195) granting an increase of pension to Robert W. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25196) granting an increase of pension to Alonzo R. Sharp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25197) granting an increase of pension to John W. Francis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25198) granting a pension to Emma Moffett—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 25199) granting a pension to Oliver W. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25200) granting an increase of pension to Harrison L. McGinnis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25201) granting an increase of pension to Hugh D. Graham—to the Committee on Invalid Pensions.

By Mr. CAULFIELD: A bill (H. R. 25202) granting a pension to Melissa A. Hawley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25203) to correct the military record of Edward Dodsworth—to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 25204) granting an increase of pension to George H. Ward—to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 25205) granting a pension to Phoebe A. Pence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25206) granting an increase of pension to Joseph L. Vaughn—to the Committee on Invalid Pensions.

By Mr. COUDREY: A bill (H. R. 25207) for the relief of Philippina Fishback—to the Committee on Pensions.

By Mr. DALZELL: A bill (H. R. 25208) granting an increase of pension to Thomas H. McIlvain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25209) granting an increase of pension to Benton Burr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25210) granting a pension to Margaret Thompson—to the Committee on Invalid Pensions.

By Mr. DAWSON: A bill (H. R. 25211) granting a pension to L. Place Bostwick—to the Committee on Pensions.

Also, a bill (H. R. 25212) granting a pension to Minerva Kenney—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 25213) granting an increase of pension to Joel T. Hembree—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 25214) granting an increase of pension to Calista Green—to the Committee on Pensions.

Also, a bill (H. R. 25215) granting an increase of pension to Patrick Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25216) granting an increase of pension to Andrew H. Allard—to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 25217) granting an increase of pension to Richard Stokes, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25218) granting an increase of pension to George M. Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25219) granting an increase of pension to Andrew J. Taylor—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 25220) granting a pension to Robert Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25221) granting an increase of pension to J. H. O. Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25222) granting an increase of pension to Elijah Loback—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25223) granting an increase of pension to Stephen Weathers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25224) to correct the military record of Joseph S. Alexander—to the Committee on Military Affairs.

By Mr. FOCHT: A bill (H. R. 25225) granting an increase of pension to David Funk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25226) granting an increase of pension to Henry Loudenschlager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25227) for the relief of Michael Nave—to the Committee on Military Affairs.

Also, a bill (H. R. 25228) granting an increase of pension to James Kirkwood—to the Committee on Invalid Pensions.

By Mr. FOELKER: A bill (H. R. 25229) granting an increase of pension to Thomas M. Tibball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25230) to remove the charge of desertion from the military record of Frederick C. Philpit—to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 25231) granting an increase of pension to Wickham Brodhead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25232) granting an increase of pension to Franklin Aldrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25233) granting an increase of pension to William Sherwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25234) granting an increase of pension to Philip Honsinger—to the Committee on Invalid Pensions.

By Mr. FOULKROD: A bill (H. R. 25235) granting a pension to Jenet Hendricks—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 25236) granting an increase of pension to Bridget Hopkins—to the Committee on Invalid Pensions.

By Mr. FULTON: A bill (H. R. 25237) for the relief of the Wichita and affiliated bands of Indians—to the Committee on Claims.

Also, a bill (H. R. 25238) granting an increase of pension to George L. Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25239) granting an increase of pension to Ephraim C. Parish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25240) granting an increase of pension to Joel Benham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25241) granting an increase of pension to James W. Davis—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 25242) granting an increase of pension to James H. Spring—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25243) granting an increase of pension to George W. Hile—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25244) granting an increase of pension to John B. May—to the Committee on Invalid Pensions.

By Mr. GARNER: A bill (H. R. 25245) granting a pension to George Forniss—to the Committee on Pensions.

By Mr. GILHAMS: A bill (H. R. 25246) granting a pension to Levi D. Fry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25247) granting an increase of pension to Florence Buchanan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25248) granting an increase of pension to Martin V. Heffelfinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25249) granting an increase of pension to Martin Connett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25250) granting an increase of pension to Elias Stoneburner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25251) granting an increase of pension to Hiram B. Melendy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25252) granting an increase of pension to Pellig Hull—to the Committee on Invalid Pensions.

By Mr. HACKNEY: A bill (H. R. 25253) granting an increase of pension to Seth Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25254) granting an increase of pension to Tilman Bayne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25255) for the relief of Allen Pearson—to the Committee on Military Affairs.

By Mr. HAGGOTT: A bill (H. R. 25256) granting an increase

of pension to James Noble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25257) granting an increase of pension to Everill J. Hills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25258) granting an increase of pension to George W. Burnett—to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 25259) granting a pension to Katie V. Kellogg—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 25260) granting a pension to Keziah Phlegly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25261) granting an increase of pension to Eli T. Forrester—to the Committee on Invalid Pensions.

By Mr. HARDING: A bill (H. R. 25262) granting an increase of pension to George H. Buehner—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 25263) granting an increase of pension to Alfred H. Hooker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25264) granting an increase of pension to Archibald O. Rose—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 25265) granting a pension to Isabelle C. Woodward—to the Committee on Pensions.

Also, a bill (H. R. 25266) granting an increase of pension to William Goetze—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25267) granting an increase of pension to Thomas Bingham Corey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25268) granting an increase of pension to William P. Squire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25269) granting an increase of pension to M. Kraszynski—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25270) granting an increase of pension to George Q. Barlow—to the Committee on Invalid Pensions.

By Mr. HOBSON: A bill (H. R. 25271) for the relief of Chief Carpenter Herbert M. Griffiths, U. S. Navy, retired—to the Committee on Naval Affairs.

By Mr. HOLLIDAY: A bill (H. R. 25272) granting an increase of pension to Edwin Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25273) granting an increase of pension to Oscar Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25274) granting an increase of pension to Oscar Reynolds—to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 25275) granting an increase of pension to William H. Rochelle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25276) granting an increase of pension to James Emmens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25277) granting an increase of pension to George Schoonover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25278) granting a pension to Wilbur Van Houten—to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 25279) for the relief of M. J. Julian—to the Committee on War Claims.

Also, a bill (H. R. 25280) for the relief of the estate of Martha A. Stevens—to the Committee on War Claims.

Also, a bill (H. R. 25281) granting an increase of pension to William W. Baldwin—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 25282) granting an increase of pension to Franklin B. Dorothy—to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 25283) granting an increase of pension to Margaret A. Osborn—to the Committee on Pensions.

Also, a bill (H. R. 25284) granting an increase of pension to Marion Farris—to the Committee on Invalid Pensions.

By Mr. JONES of Virginia: A bill (H. R. 25285) for the relief of John H. Jarvis—to the Committee on War Claims.

By Mr. KEIFER: A bill (H. R. 25286) granting an increase of pension to Margaret S. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25287) granting an increase of pension to Madison Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25288) granting a pension to Albert Fletcher—to the Committee on Pensions.

By Mr. LINDBERGH: A bill (H. R. 25289) granting an increase of pension to William H. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25290) granting an increase of pension to Calvin Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25291) granting an increase of pension to Peter Virnig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25292) granting an increase of pension to Frank Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25293) granting an increase of pension to Bailey D. Judkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25294) granting an increase of pension to John A. Reamer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25295) granting an increase of pension to Charles W. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25296) granting an increase of pension to Charles A. Ramsdill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25297) granting a pension to Susan Persons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25298) granting a pension to Deborah H. Riggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25299) granting a pension to Bessie E. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25300) for the relief of Theodore Bruener—to the Committee on the Public Lands.

Also, a bill (H. R. 25301) to remove the charge of desertion from the military record of Nathan Stewart and grant to him an honorable discharge—to the Committee on Military Affairs.

By Mr. LONGWORTH: A bill (H. R. 25302) granting an increase of pension to Ellen T. Cowen—to the Committee on Invalid Pensions.

By Mr. McCREARY: A bill (H. R. 25303) granting a pension to Eliza Belle Blumer—to the Committee on Invalid Pensions.

By Mr. McHENRY: A bill (H. R. 25304) granting a pension to Michael S. Dietrich—to the Committee on Pensions.

By Mr. MADDEN: A bill (H. R. 25305) granting an increase of pension to Albert C. Chamberlin—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 25306) granting an increase of pension to John J. Kane—to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 25307) granting an increase of pension to William A. Clemons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25308) granting an increase of pension to John T. Munsell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25309) granting an increase of pension to Albert A. Secord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25310) granting an increase of pension to John Beckley—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 25311) granting an increase of pension to Thomas A. Conlee—to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 25312) granting an increase of pension to John Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25313) granting an increase of pension to Merritt H. Raymond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25314) for the relief of Robert Coggon—to the Committee on Claims.

By Mr. PRAY: A bill (H. R. 25315) granting a pension to Eddy J. Workman—to the Committee on Pensions.

Also, a bill (H. R. 25316) granting an increase of pension to Lucretia Ritchhart—to the Committee on Pensions.

Also, a bill (H. R. 25317) granting an increase of pension to Denton P. Sheeks—to the Committee on Pensions.

By Mr. PRINCE: A bill (H. R. 25318) granting an increase of pension to Robert Bigger—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 25319) granting an increase of pension to John C. Langford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25320) granting an increase of pension to George H. Tolle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25321) granting a pension to Sciota Jasper—to the Committee on Pensions.

Also, a bill (H. R. 25322) granting an increase of pension to Joseph W. Rowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25323) granting an increase of pension to John Chenoweth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25324) granting an increase of pension to Madison Norton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25325) granting an increase of pension to Joseph Dugdell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25326) granting an increase of pension to James A. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25327) granting a pension to Buena Vista Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25328) granting a pension to Walter L. Hart—to the Committee on Pensions.

Also, a bill (H. R. 25329) granting an increase of pension to Thomas Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25330) granting an increase of pension to Thomas J. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25331) granting an increase of pension to Abner Poore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25332) granting an increase of pension to B. L. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25333) granting an increase of pension to Delos W. Story—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25334) granting an increase of pension to John G. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25335) granting an increase of pension to Joseph W. Rowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25336) granting an increase of pension to James Glenn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25337) granting an increase of pension to Daniel F. Jones—to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 25338) granting an increase of pension to John W. Bowman—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 25339) granting a pension to Mary Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25340) granting an increase of pension to R. H. L. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25341) granting an increase of pension to Joseph H. Hadley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25342) granting an increase of pension to Elisha Tourtellott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25343) granting an increase of pension to Lewis H. Mark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25344) granting an increase of pension to George Jeffery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25345) granting an increase of pension to George J. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25346) granting an increase of pension to Alman Sparling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25347) granting an increase of pension to Charles F. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25348) granting an increase of pension to Jacob Vannice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25349) granting an increase of pension to John Brannan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25350) granting an increase of pension to Alpheus Grovenburgh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25351) granting an increase of pension to G. L. Barr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25352) granting an increase of pension to Victor Lambert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25353) granting an increase of pension to Zachary Fletcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25354) granting an increase of pension to Edgar D. York—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25355) granting an increase of pension to Garrett Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25356) granting an increase of pension to Stephen O. Tolle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25357) granting an increase of pension to Charles M. Russell—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 25358) granting a pension to Michael O'Leary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25359) granting an increase of pension to Edward C. Frey—to the Committee on Pensions.

Also, a bill (H. R. 25360) granting an increase of pension to Harvey A. P. Doyle—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 25361) for the relief of the heirs of Jenkins & Havens—to the Committee on Claims.

By Mr. STEENERSON: A bill (H. R. 25362) granting an increase of pension to Ernest Buse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25363) granting an increase of pension to John Olson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25364) granting an increase of pension to James Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25365) granting an increase of pension to Robert K. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25366) granting a pension to Louis Larson, alias Lewis Lewis—to the Committee on Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 25367) granting a pension to Henry S. Mansfield—to the Committee on Pensions.

Also, a bill (H. R. 25368) granting a pension to Winfield S. Hicks—to the Committee on Pensions.

Also, a bill (H. R. 25369) granting a pension to Levi H. Mahanna—to the Committee on Pensions.

Also, a bill (H. R. 25370) granting a pension to Jeanette Blandy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25371) granting a pension to Frances E. McKenna—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25372) granting a pension to Sarah E. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25373) granting a pension to Walter Scott—to the Committee on Pensions.

Also, a bill (H. R. 25374) granting an increase of pension to Andrew McIlvain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25375) granting an increase of pension to Joshua F. Whipples—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25376) granting an increase of pension to Marcellus M. Pixley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25377) granting an increase of pension to Charles T. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25378) granting an increase of pension to James H. Wean—to the Committee on Invalid Pensions.

By Mr. TOU-VELLE: A bill (H. R. 25379) granting an increase of pension to James H. Shafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25380) granting an increase of pension to William L. Reck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25381) granting an increase of pension to William Briney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25382) granting an increase of pension to Margaret Hiles—to the Committee on Invalid Pensions.

By Mr. WALLACE: A bill (H. R. 25383) for the relief of John B. Maryman—to the Committee on Claims.

By Mr. WEEKS: A bill (H. R. 25384) granting an increase of pension to Herbert E. Whipple—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 25385) for the relief of Marcellus Troxell—to the Committee on Claims.

Also, a bill (H. R. 25386) granting an increase of pension to Alexander Kerr—to the Committee on Invalid Pensions.

By Mr. FULTON: A bill (H. R. 25387) granting an increase of pension to Edward A. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25388) granting an increase of pension to Henry Stinnett—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 25389) granting an increase of pension to Almon B. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25390) granting an increase of pension to Elnathan Sweet—to the Committee on Invalid Pensions.

By Mr. MANN, from the Committee on Elections No. 1: Resolution (H. Res. 465) in regard to contested-election case between A. F. Lever and Alexander D. Dantzler—to the House Calendar.

Also, from the same committee, resolution (H. Res. 466) in regard to contested-election case between A. P. Prioleau and George S. Legare—to the House Calendar.

Also, from the same committee, resolution (H. Res. 467) in regard to contested-election case between Isaac Myers and J. O. Patterson—to the House Calendar.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Petition of Ward A. Bickford and 35 others, of Cliff Island, Me., against Johnston Sunday bill—to the Committee on the District of Columbia.

Also, petition of Newfield and East Madison Grange, favoring a parcels post and for parcels-post delivery on rural routes and for postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. ANSBERRY: Petition of Springfield Grange, No. 499, of Williams County, Ohio, favoring a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL of Georgia: Petition of J. R. Homes, against putting timber on the free list—to the Committee on Ways and Means.

By Mr. BINGHAM: Petition of Union League of Philadelphia, favoring increase of salaries of federal judges—to the Committee on the Judiciary.

By Mr. BONYNGE: Petition of citizens of Colorado, against passage of Senate bill 3940—to the Committee on the District of Columbia.

By Mr. BRADLEY: Petition of Shawangunk Grange, No. 1018, Patrons of Husbandry, of Minisink, N. Y.; Cronomer Valley Grange, No. 982, of Newburgh, N. Y.; and Minisink Grange, No. 907, Patrons of Husbandry, of Unionville, N. Y., favoring Senate bills 5122 and 6484, in re parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petitions of Doyle & Leonard and Hilton, Gibson & Miller, of Newburgh, N. Y., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BRUNDIDGE: Paper to accompany bill for relief of Simon Rockwell—to the Committee on War Claims.

By Mr. BURKE: Petition of M. N. Kline Trades League, of Philadelphia, for a 35-foot channel in Delaware River—to the Committee on Rivers and Harbors.

Also, petition of Harry G. Tinker, favoring increase of salaries of United States judges—to the Committee on the Judiciary.

Also, petition of Behrhorst, Grapp & Co., George R. Stevenson & Co., and Ward Mackey Company, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petitions of Library Company of Philadelphia, and Free Library of Philadelphia, against removal of public library books from the free list—to the Committee on Ways and Means.

Also, petition of Fils & Co., of Philadelphia, favoring the naval stores inspection bill introduced into the Senate December 16, 1908—to the Committee on Agriculture.

Also, petition of G. W. Da Cunha, of Upper Montclair, N. J., favoring salary of \$100,000 per year for the President—to the Committee on Appropriations.

By Mr. BUTLER: Petition of Russellville Grange, No. 91, Patrons of Husbandry, for a parcels-post system and postal savings banks—to the Committee on the Post-office and Post-Roads.

By Mr. CAMPBELL: Petition of members, teachers, and officers of Sunday school of the First Presbyterian Church of Winfield, Kans., for legislation to prohibit conflict of authority between the National Government and States having prohibitory laws—to the Committee on the Judiciary.

Also, petition of citizens of Kansas, against S. 3940—to the Committee on the District of Columbia.

By Mr. CAULFIELD: Petition of board of directors of St. Louis, Mo., for abolition of duty on books—to the Committee on Ways and Means.

By Mr. CLARK of Missouri: Petition of citizens of Louisiana, Mo., against enactment of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. COLE: Petition of George W. Ballinger and others, for legislation pensioning ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. COOK of Pennsylvania: Petition of Library Company, of Philadelphia, against imposing duty on public library books—to the Committee on Ways and Means.

By Mr. COUDREY: Papers to accompany bills for relief of Col. Thomas Bayley and John H. Drosselmeier—to the Committee on Invalid Pensions.

Also, papers to accompany bills for relief of George W. Murray, Phillipina Fishback, and Andrew Houlihan—to the Committee on Invalid Pensions.

By Mr. DARRAGH: Petition of Mrs. O. F. Ballou and 90 other residents of Montcalm County, Mich., against S. 3940 (Johnston Sunday law)—to the Committee on the District of Columbia.

By Mr. DE ARMOND: Paper to accompany bill for relief of George W. Jennings—to the Committee on Pensions.

Also, papers to accompany bills for relief of William K. Trabue, Margaret Huston, M. W. Jacobs, and George W. Wade—to the Committee on Invalid Pensions.

Also, petition of citizens of Missouri, against passage of Senate bill 3940—to the Committee on the District of Columbia.

By Mr. ESTOPINAL: Memorial of the general assembly of Louisiana in 1908, favoring legislation to construct a dam across Bayou Courtableau on west bank of Atchafalaya Basin Levee District to protect by levee its arable territory from overflow, legislation granting to the State of Louisiana the public lands of United States in the State, legislation establishing a national standard of classification of the marketable grades of cotton, and legislation for national park on site of the battle of New Orleans—to the Committee on Rivers and Harbors.

By Mr. FLOYD: Paper to accompany bill for relief of Stephen Weathers—to the Committee on Invalid Pensions.

Also, papers to accompany bills for relief of Elijah Loback and J. H. O. Sutton—to the Committee on Invalid Pensions.

Also, papers to accompany bills for relief of N. P. Hudson (H. R. 25094) and James Keef (H. R. 25095)—to the Committee on Invalid Pensions.

Also, papers to accompany bill (H. R. 24854) for purchase of additional ground in connection with national cemetery at Fayetteville, Ark.—to the Committee on Military Affairs.

Also, papers to accompany bills for relief of Jesse Shewmake and J. M. Cookson—to the Committee on Invalid Pensions.

By Mr. FOCHT: Petition of Civil Service Reform Association, for the competitive test for census employees—to the Committee on the Census.

Also, petition of citizens of Huntingdon, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. FOULKROD: Petition of citizens of Pennsylvania, for legislation to pension members of the Telegraph Corps of the civil war—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of Rockford Central Labor Union, of Rockford, Ill., for removal of restrictions on manufacture of oleomargarine—to the Committee on Agriculture.

Also, paper to accompany bill for relief of Bridget Hopkins—to the Committee on Invalid Pensions.

By Mr. FULTON: Petition of citizens of Oklahoma, against passage of Senate bill 3940—to the Committee on the District of Columbia.

By Mr. GARNER: Petition of citizens of Texas, against passage of Senate bill 3940—to the Committee on the District of Columbia.

By Mr. GILHAMS: Petition of citizens of Indiana, against passage of the Johnston Sunday-rest law—to the Committee on the District of Columbia.

By Mr. GILLETT: Petitions of Granges of Ware, Shutesbury, and Springfield, Mass., for parcels post on rural free-delivery routes and for postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAFF: Petition of Alta Grange, No. 1350, favoring a parcels post and postal savings bank law—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Petition of Literary Company of Philadelphia and Free Library of Philadelphia, against taking public-library books from the free list—to the Committee on Ways and Means.

Also, petition of John Joseph Ruddick, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Trades League of Philadelphia, favoring a 35-foot channel in Delaware River—to the Committee on Rivers and Harbors.

Also, petition of Harry G. Tinker, favoring increase of salaries for United States judges—to the Committee on the Judiciary.

Also, petition of S. F. McComb, for the creation of a department of public health—to the Committee on Agriculture.

Also, petition of Fils & Co., for naval-stores inspection bill introduced into the Senate December 16, 1908—to the Committee on Agriculture.

By Mr. GRANGER: Petition of Rhode Island State Grange, favoring H. R. 18204, to establish agricultural schools; also for postal savings banks and parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of United States Naval Torpedo Station, favoring retirement of petty officers and enlisted men of the navy after twenty-five years of actual service—to the Committee on Naval Affairs.

By Mr. HAGGOTT: Petition of citizens of Colorado, against passage of Senate bill 3940—to the Committee on the District of Columbia.

By Mr. HAMLIN: Papers to accompany bills for relief of Jane Goss, Viola T. Hall, Easter Henson, and Edw. F. Nilson—to the Committee on Invalid Pensions.

By Mr. HAMMOND: Petition of C. M. Yaeger and others, against Johnston Sunday bill (S. 3940)—to the Committee on the District of Columbia.

Also, petition of Watonwan County Medical Society, for legislation creating bureau of health—to the Committee on Agriculture.

By Mr. HARRISON: Petition of Federation of Jewish Organizations, for appointment of a chaplain in the army and navy of the Jewish faith—to the Committee on Military Affairs.

Also, petition of George M. Mallard and others, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HAYES: Papers to accompany bills for relief of William Goetze, Thomas Bingham Corey, William P. Squire, and George Q. Barlow—to the Committee on Invalid Pensions.

Also, petition of Chamber of Commerce of Los Angeles, Cal., for increase of judges' salaries—to the Committee on the Judiciary.

Also, petition of Local Union No. 55, Western Federation of Miners, of Angels Camp, Cal., for better safeguarding of workers in mines—to the Committee on Mines and Mining.

Also, petition of bar association of Los Angeles, for S. 6973, to increase judges' salaries—to the Committee on the Judiciary.

Also, petition of National Grange, Patrons of Husbandry, for the establishment of a national highways commission—to the Committee on Agriculture.

Also, petition of American Brotherhood of Cement Workers, for more stringent laws against Asiatic immigration—to the Committee on Foreign Affairs.

Also, petitions of board of trustees of Chamber of Commerce of Stockton, Board of Trade of San Francisco, and Chamber of Commerce of San Francisco, favoring improvement of Humboldt Bay—to the Committee on Rivers and Harbors.

Also, petitions of M. G. Slade and 57 other citizens of Palo Alto, George W. Hanson and 21 other citizens of San Jose, and R. G. Hackett and 5 other citizens of Los Gatos, all in the State of California, against passage of Senate bill 3940—to the Committee on the District of Columbia.

Also, petitions of Bar Association of San Francisco and committee of bar of San Francisco, for increasing salaries of judges—to the Committee on the Judiciary.

Also, petition of State Grange, Patrons of Husbandry, favoring parcels post and postal savings banks laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of thousands of citizens of sundry towns in California, favoring more stringent laws against Asiatic immigration—to the Committee on Foreign Affairs.

By Mr. HOWELL of Utah: Petition of citizens of Salt Lake City and Park City, Utah, and citizens of Utah, for retention of duty on lead and lead ores—to the Committee on Ways and Means.

Also, petition of Utah County Medical Society, for the creation of a department of health—to the Committee on Interstate and Foreign Commerce.

Also, petition of miners of Eureka, Utah, favoring present tariff on lead and lead ores—to the Committee on Ways and Means.

By Mr. HUBBARD of Iowa: Petition of citizens of Onawa, Blencoe, Stuart, and Sloan, Iowa, against the passage of S. 3940 (proper observance of Sunday as a day of rest in the District of Columbia)—to the Committee on the District of Columbia.

Also, petition of C. Shenckberg & Co. and Hutchinson Brothers' Company, of Iowa City, Iowa, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. KAHN: Petitions of Olaf Nelson and many other residents of California; T. T. Frank and 41 other residents of State of Maryland; and L. H. Lee and 31 other residents of State of North Carolina, for more stringent laws against Asiatic immigration—to the Committee on Foreign Affairs.

By Mr. LAWRENCE: Petitions of Sheffield Grange, No. 224, Patrons of Husbandry; Grange No. 152, of Long Meadow, Mass.; and Charlemont Grange, for parcels-post delivery on rural mail routes and for postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. LOUD: Paper to accompany bill for relief of Joseph Welch—to the Committee on Military Affairs.

By Mr. McDERMOTT: Papers to accompany bills for relief of Sylvester T. Clancy, Frederick Sass, and John Johnson—to the Committee on Invalid Pensions.

By Mr. MANN: Petition of medical society of Osceola County, against passage of H. R. 21982, in re habit-forming and poisonous drugs—to the Committee on Interstate and Foreign Commerce.

Also, petition of Cheyenne Branch, Railway Postal Clerks, against H. R. 21261—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill for relief of John J. Kane—to the Committee on Invalid Pensions.

By Mr. NICHOLLS: Petition of West Abington Grange, of Dalton, Pa., favoring a parcels-post and savings-banks law—to the Committee on the Post-Office and Post-Roads.

By Mr. OVERSTREET: Paper to accompany bill for relief of Thomas A. Conlee—to the Committee on Invalid Pensions.

By Mr. PAYNE: Petitions of Norman G. Arnold and others, of Venice Grange, No. 895; William Green and others, of Macedon (N. Y.) Grange, No. 326; and citizens of Newark, N. J., and others, for parcels post on rural-delivery routes and for postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. PRAY: Petition against passage of Senate bill 3940—to the Committee on the District of Columbia.

Also, petition of North Moccasin Mines Union, for legislation providing for investigation of Treadwell Mining Company, of Alaska—to the Committee on Mines and Mining.

By Mr. REEDER: Petition of citizens of Kansas, against S. 3940 (Johnston Sunday law)—to the Committee on the District of Columbia.

By Mr. STEENERSON: Petition of citizens of Becker County, Minn., against S. 3940 (Johnston Sunday law)—to the Committee on the District of Columbia.

By Mr. TALBOTT: Petition of Canned Goods Exchange of Baltimore, favoring removal of duty on fresh pineapples—to the Committee on Ways and Means.

By Mr. WALLACE: Paper to accompany bill for relief of J. B. Maryman—to the Committee on Invalid Pensions.

By Mr. WANGER: Petition of citizens of Pennsylvania, in favor of a parcel post—to the Committee on the Post-Office and Post-Roads.

By Mr. WEEKS: Petition of Massachusetts Reform Club, favoring Senate bill 4825, for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

SENATE.

WEDNESDAY, January 6, 1909.

Prayer by the Chaplain, Rev. Edward E. Hale.

The Journal of yesterday's proceedings was read and approved.

LINNEKIN V. UNITED STATES.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact, as amended, filed by the court in the cause of Selena A. Linnekin, widow of Thomas J. Linnekin, deceased, v. United States, with which is consolidated the cause entitled "Jessie E. Linnekin v. United States." (S. Doc. No. 636.) The former findings in case 10942—41 Cong., C. and F., certified to the Senate, December 4, 1906, having been recalled by the court, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Charles L. Green and Samuel T. Green, executors of Charles Green, deceased, v. United States (S. Doc. No. 633), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 22306. An act to authorize the Delaware, Lackawanna and Western Railroad Company and the Lackawanna Railroad Company of New Jersey to construct and maintain a bridge across the Delaware River from a point near the village of Columbia, Knowlton Township, Warren County, N. J., to the village of Slateford, Northampton County, Pa.;

H. R. 22340. An act relating to injured employees on the Isthmian Canal; and

H. R. 23711. An act to build a bridge across the Santee River, South Carolina.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice-President:

H. R. 17707. An act to authorize William H. Standish to construct a dam across James River, in Stone County, Mo., and divert a portion of its waters through a tunnel into the said river again to create electric power;

H. R. 22879. An act to amend an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved January 23, 1908; and

H. J. Res. 208. Joint resolution providing for expenses of the House Office Building.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the General Assembly of the Presbyterian Church of the United States, praying for the enactment of legislation requiring all individuals and corporations engaged in interstate commerce to

grant their employees fifty-two rest days in each year, which was referred to the Committee on Interstate Commerce.

Mr. PLATT presented a petition of Local Grange No. 1072, Patrons of Husbandry, of Binghamton, N. Y., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of sundry citizens of New York City, Brooklyn, the Bronx, Mount Vernon, New Rochelle, Yonkers, and White Plains, all in the State of New York, remonstrating against the enactment of any legislation inimical to the railroad interests of the country, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of the American Locomotive Works, of New York City, N. Y., and a memorial of the Ramapo Iron Works, of Hillburn, N. Y., remonstrating against the adoption of certain proposed amendments to the interstate-commerce law relating to freight rates, which were referred to the Committee on Interstate Commerce.

Mr. FRYE presented a petition of sundry citizens of Topsham, Me., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SCOTT presented a petition of sundry citizens of the State of West Virginia, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Board of Trade of Clarksburg, W. Va., remonstrating against the enactment of any legislation tending to continue or aggravate the agitation against corporate interests, which was referred to the Committee on Finance.

Mr. CURTIS presented a petition of sundry citizens of the State of Kansas, praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HOPKINS presented a petition of Local Grange No. 584, Patrons of Husbandry, of Waltham, Ill., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Manufacturers' Association of Rockford, Ill., remonstrating against the enactment of any legislation tending to continue or aggravate the agitation against corporate interests, which was referred to the Committee on Finance.

Mr. PILES presented a petition of Pleasant Hill Grange, No. 101, Patrons of Husbandry, of Castle Rock, Wash., praying for the passage of the so-called "rural parcels-post" and "postal savings bank" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also (for Mr. ANKENY) presented a petition of sundry citizens of Trout Lake, Wash., praying for the passage of the so-called "rural parcels-post" and "postal savings banks" bills, which was referred to the Committee on Post-Offices and Post-Roads.

He also (for Mr. ANKENY) presented a petition of members of the Bar Association of Pierce County, Wash., praying for the enactment of legislation to create an additional judge for the western district in that State, and also to increase the salaries of the United States circuit and district court judges, which was referred to the Committee on the Judiciary.

Mr. BURKETT presented a petition of the Commercial Club of Plattsmouth, Nebr., praying that an appropriation of \$500,000,000 be made for the improvement of the rivers and harbors of the country, which was referred to the Committee on Commerce.

Mr. BROWN presented a memorial of sundry citizens of Genoa, Nebr., remonstrating against the enactment of legislation providing for the closing of the United States Indian Industrial School at that city, which was referred to the Committee on Indian Affairs.

Mr. MONEY presented the petition of Frederick Hess, of Pascagoula, Miss., praying for the enactment of legislation to reimburse him for the loss of his title to a part of Round Island, in the Bay of Pascagoula, in that State, which was referred to the Committee on Claims.

Mr. WARREN presented a memorial of the Wool Growers' Association of Big Horn County, Wyo., remonstrating against the enactment of any legislation tending to change the existing land laws of the United States, which was referred to the Committee on Public Lands.